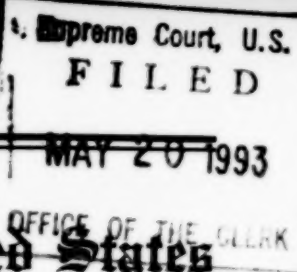


No. 92-1074



IN THE
Supreme Court of the United States

OCTOBER TERM, 1992

JOHN HANCOCK MUTUAL LIFE
INSURANCE COMPANY,

Petitioner,

v.

HARRIS TRUST AND SAVINGS BANK,
as Trustee of the Sperry Master Retirement Trust No. 2,

Respondent.

ON WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

APPENDIX TO BRIEF FOR PETITIONER

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May 20, 1993

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COMMITTEE REPORTS

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House Report No. 90-1867 to accompany H.R. 6498, House Education and Labor Committee, September 5, 1968.

92nd Congress

Senate Report No. 92-634, "Interim Report of Activities of the Private Welfare and Pension Plan Study 1971," Senate Labor and Public Welfare Committee, pursuant to S. Res. 35 of the 92nd Congress, February 22, 1972.

Senate Report No. 92-1150 to accompany S. 3598, Senate Labor and Public Welfare Committee, September 18, 1972.

Senate Report No. 92-1224 to accompany S. 3598, Senate Finance Committee, September 25, 1972.

93rd Congress

Senate Report No. 93-127 to accompany S. 4 Senate Labor and Public Welfare Committee, April 18, 1973.

House Report No. 93-298 to accompany H.R. 4200, House Ways and Means Committee, June 20, 1973.

Senate Report No. 93-383 to accompany S. 1179, Senate Finance Committee, August 21, 1973.

Senate Report No. 93-394 to accompany H.R. 4200, Senate Finance Committee, September 17, 1973.

House Report No. 93-533 to accompany H.R. 2, House Education and Labor Committee, October 2, 1973.

House Report No. 93-779 to accompany H.R. 12481, House Ways and Means Committee, February 5, 1974.

House Report No. 93-807 to accompany H.R. 12855, House Ways and Means Committee, February 21, 1974.

House Report No. 93-1280 to accompany H.R. 2 (Conference Report), August 12, 1974.

Senate Report No. 93-1090 to accompany H.R. 2 (Conference Report), August 13, 1974.

COMMITTEE PRINTS

93rd Congress

"Retirement Income Security for Employees Act of 1973, (S.4): Bill Text, Summary of Major Provisions, and Background Material," committee print prepared by the Subcommittee on Labor for the Senate Labor and Public Welfare Committee, 93rd Congress, January 1973.

"Study of the Cost of Mandatory Vesting Provision Proposed for Private Pension Plans (Grubbs Report)," committee print of the Subcommittee on Labor of the Senate Labor and Public Welfare Committee, 93rd Congress, February 1973. (Reprinted on page 425 of the Senate Labor and Public Welfare Committee hearings.)

"Estimates of the Cost of Vesting in Pension Plans," committee print of the General Subcommittee on Labor of the House Education and Labor Committee, 93rd Congress, February 1973.

"Material Relating to Administration Proposal Entitled the 'Retirement Benefits Tax Act,' " committee print of the House Ways and Means Committee, 93rd Congress, April 18, 1973.

"Summary of Proposals for Private Pension Plan Reform," committee print prepared for the Subcommittee on Private Pension Plans of the Senate Finance Committee, by the Joint Committee on Internal Revenue Taxation, 93rd Congress, May 16, 1973.

"First Panel Discussion on Private Pension Plan Reform," testimony received May 31, 1973 before the Subcommittee on Private Pension Plans of the Senate Finance Committee, committee print, 93rd Congress, May 1973. (Reprinted on page 620 of the Senate Finance Committee hearings.)

"Second Panel Discussion on Private Pension Plan Reform," testimony received June 4, 1973 before the Subcommittee on Private Pension Plans of the Senate Finance Committee, committee print, 93rd Congress, June 4, 1973. (Reprinted on page 828 of the Senate Finance Committee hearings.)

"Summary of Testimony on Proposals for Private Pension Plan Reform before the Subcommittee on Private Pension Plans," committee print prepared for the Senate Finance Committee by the Joint Committee on Internal Revenue Taxation, 93rd Congress, July 1973.

"Digest of Testimony on Proposals for Private Pension Plan Reform before the Subcommittee on Private Pension Plans," committee print prepared for the Senate Finance Committee by the Joint Committee on Internal Revenue Taxation, 93rd Congress, July 11, 1973.

"Summary of Testimony on Proposals for Private Pension Plan Reform at the 1973 Public Hearings on the General Subject of Tax Reform," committee print of the Joint Committee on Internal Revenue Taxation, 93rd Congress October 1, 1973. (Out of print.)

"Tax Treatment of Pension Plans," committee print prepared for the House Ways and Means Committee by the Joint Committee on Internal Revenue Taxation 93rd Congress:

- Part 1: Participation, Vesting, Funding Portability, Insurance, Fiduciary Standards, Reporting and Disclosure, and Enforcement. October 1, 1973
- Part 2: Individual Retirement Accounts, Limitations on Contributions, and Lump Sum Distribution. October 23, 1973

"Digest of Statements on Proposals for Private Pension Plan Reform," committee print of the Joint Committee on Internal Revenue Taxation, 93rd Congress:

Part 1: October 9, 1973

Part 2: October 17, 1973 (Out of print.)

"Summary of H.R. 4200; Retirement Income Security for Employees Act, as Passed by the Senate," committee print prepared for the use of the Senate Financial Committee by the Joint Committee on Internal Revenue Taxation, 93rd Congress, October 9, 1973.

"Brief Summary of the Provisions of H.R. 12481 (a bill to amend the Internal Revenue Code to Provide Pension Reform) as reported to the House by the Committee on Ways and Means in February," committee print of the House Ways and Means Committee, 93rd Congress, February 5, 1974.

"Employee Retirement Income Security Act, 1974-Public Law 93-406 (H.R. 2), Text of Public Law, Statement on the Part of the Managers, and Summary of the Legislation," committee print prepared by the Subcommittee on Labor for the Senate Labor and Public Welfare Committee, 93rd Congress, November 1974.

"Summary of Differences between the Senate Version and the House Version of H.R. 2 to Provide for Pension Reform," committee print prepared for the use of the House and Senate conferees on H.R. 2, 93rd Congress:

- Part 1: Participation, Vesting, Funding, Actuaries, Jurisdiction and Portability. May 15, 1974
- Part 2: Termination Insurance Reporting and Disclosure. June 5, 1974
- Part 3: Fiduciary and Enforcement. June 12, 1974
- Part 4: Limitation on Contributions and Benefits, Employee Savings for Retirement, Lump-Sum Distributions, Administration and Enforcement and Miscellaneous. June 19, 1974

94th Congress

"Summary of the Major Provisions of Public Law 93-406, 'The Employee Retirement Income Security Act of 1974,' " committee print of the House Ways and Means Committee 94th Congress, April 28, 1975.

HEARING REPORTS

89th Congress

"Private Pension Plans," Hearings before the Subcommittee on Fiscal Policy of the Joint Economic Committee, 89th Congress:

Part 1: April 26, 27; May 2, 1966

Part 2: May 3, 9, 11, 16, 20, 1966

"Federal Reinsurance of Private Pension Plans," Hearings before the Senate Finance Committee on S. 1575, 89th Congress, August 15, 1966.

90th Congress

"Proposed Welfare and Pension Plan Protection Act," Hearings before the General Subcommittee on Labor of the House

Education and Labor Committee on H.R. 5741, 90th Congress, March 19, 20, 21, 27, 28; April 10; May 8, 1968.

"Pension and Welfare Plans," Hearings before the Subcommittee on Labor of the Senate Labor and Public Welfare Committee on S. 3421, S. 1024, S. 1103, S. 1255, 90th Congress, July 25, 1968.

91st Congress

"Private Welfare and Pension Plan Legislation," Hearings before the General Subcommittee on Labor of the House Education and Labor Committee on H.R. 1045, H.R. 1046, and H.R. 16462, 91st Congress, December 10, 1969; February 26; March 11, 12, 18, 25; April 15, 16, 21, 22, 23, 29, 30; May 13, 14, 19, 20, 1970.

"Investment Policies of Pension Funds," Hearings before the Subcommittee on Fiscal Policy of the Joint Economic Committee, 91st Congress, April 27, 28, 29, 30, 1970.

92nd Congress

"Welfare and Pension Plan Legislation," Hearings before the General Subcommittee on Labor of the House Education and Labor Committee on H.R. 1269, 92nd Congress, April 21, 28, 1971.

"Private Welfare and Pension Plan Study, 1972," Hearings before the Subcommittee on Labor of the Senate Labor and Public Welfare Committee, 92nd Congress:

Part 1: St. Louis, Missouri
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Part 3: Cleveland, Ohio
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"Tax Proposals Affecting Private Pension Plans," Hearings before the House Ways and Means Committee, 92nd Congress:

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"Retirement Income Security for Employees Act, 1972," Hearings before the Subcommittee on Labor of the Senate Labor and Public Welfare Committee on S. 3598, 92nd Congress:

Part 1: June 20, 21, 1972
Part 2: June 23, 27, 1972
Part 3: June 28, 29, 1972

"Private Welfare and Pension Plan Study, 1971," Hearings before the Subcommittee on Labor of the Senate Labor and Public Welfare Committee, 92nd Congress:

Part 1: July 27, 28, 29, 1971
Part 2: October 12, 13, 1971

93rd Congress

"Retirement Income Security for Employees Act, 1973," Hearings before the Subcommittee on Labor of the Senate Labor and Public Welfare Committee on S. 4 and S. 75, 93rd Congress, February 15, 16, 1973.

"Welfare and Pension Plan Legislation," Hearings before the General Subcommittee on Labor of the House Education and Labor Committee on H.R. 2 and H.R. 462, 93rd Congress:

Part 1: Washington, D.C.,
February 20, 21, 22, 27, 28;
March 1, 6, 7, 8, 20, 1973

Part 2: Pittsburgh, Pa.,
March 23, 24, 1973
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March 29, 1973
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March 30, 1973
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April 5, 6, 1973
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April 13, 1973
Seattle, Wash.,
April 24, 1973
Honolulu, Hawaii,
April 25, 1973
San Francisco, Ca.,
April 27, 1973
Washington, D.C.,
June 13, 1973

"General Tax Reform," panel discussion before the House Ways and Means Committee, 93rd Congress:

Part 7: Pension, Profit Sharing and Deferred Compensation, February 22, 1973.

[The House Ways and Means Committee held no formal hearings on pension legislation in the 93rd Congress but instead held a panel discussion on pensions during its consideration of tax reform.]

"Private Pension Plan Reform," Hearings before the Subcommittee on Private Pension Plans of the Senate Finance Committee on S. 4, S. 1179 and S. 1631, 93rd Congress:

Part 1: May 21, 22, 23, 1973

Part 2: May 31; June 4, 12, 1973

"Written Statements Submitted by Interested Organizations and Individuals on H.R. 10470, 'Retirement Income Security for Employees Act,' " committee print of the House Ways and Means Committee, 93rd Congress:

Print No. 1: Part 1, October 1, 1973
Part 2, October 1, 1973

Print No. 2: Additional Written Statements,
October 12, 1973

[The House Ways and Means Committee held no formal hearings on pension legislation in the 93rd Congress, but instead requested written statements from interested parties on H.R. 10470 which was identical to the legislation passed by Senate (H.R. 4200 as passed in the Senate). These written statements were published in the listed committee prints.]

ANTECEDENT BILLS

93rd Congress

H.R. 2 as introduced by Mr. Dent, *et al.* and referred to the House Education and Labor Committee, 93rd Congress, January 3, 1973.

S. 4 as introduced by Mr. Williams, *et al.* and referred to the Senate Labor and Public Welfare Committee, 93rd Congress, January 4, 1973.

H.R. 4200 as introduced by Mr. Broyhill of Virginia, *et al.* and referred to the House Ways and Means Committee, 93rd Congress, February 8, 1973.

S. 1179 as introduced by Mr. Bentson and referred to the Senate Finance Committee, 93rd Congress, March 13, 1973.

S. 4 as reported (Senate Report No. 93-127) with an amendment, April 18, 1973.

Amendments intended to be proposed to S. 4:

<i>Amend No.</i>	<i>Proposed by</i>	<i>Date</i>
378	Mr. Mondale	July 18, 1973
379	Mr. Mondale	July 18, 1973
401	Mr. Stevenson	July 20, 1973
478	Mr. Taft	Sept. 13, 1973
479	Mr. Taft	Sept. 13, 1973
481	Mr. Hartke	Sept. 13, 1973
482	Mr. Hartke	Sept. 13, 1973
483	Mr. Hartke	Sept. 13, 1973
485	Mr. Hartke	Sept. 13, 1973
488	Mr. Jackson	Sept. 17, 1973
489	Mr. Jackson	Sept. 17, 1973
496 ¹	Mr. Nelson, <i>et al.</i>	Sept. 17, 1973
497	Mr. Nelson, <i>et al.</i>	Sept. 17, 1973
503	Mr. Curtis	Sept. 18, 1973
504	Mr. Buckley	Sept. 18, 1973
505	Mr. Nelson	Sept. 18, 1973
506	Mr. Nelson	Sept. 18, 1973
507	Mr. Tunney	Sept. 18, 1973
508	Mr. Hartke	Sept. 18, 1973

H.R. 4200 as reported (House Report No. 93-298) with amendments, June 20, 1973.

H.R. 4200 as passed House and referred to the Senate Finance Committee, June 28, 1973.

¹ Amendment No. 496 as intended to be proposed to S. 4 (in the nature of a substitute) is a compromise between S. 4, the Senate Labor and Public Welfare's bill, and S. 1179, the Senate Finance's bill. Amendment No. 496 was adopted September 18, 1973.

Amendments intended to be proposed to H.R. 4200:

<i>Amend No.</i>	<i>Proposed by</i>	<i>Date</i>
380	Mr. Mondale	July 18, 1973
381	Mr. Mondale	July 18, 1973

S. 1179 as reported (Senate Report No. 93-383) with amendments, August 21, 1973.

Amendments intended to be proposed to S. 1179:

<i>Amend No.</i>	<i>Proposed by</i>	<i>Date</i>
480	Mr. Taft	Sept. 13, 1973
484	Mr. Hartke	Sept. 13, 1973
495	Mr. Tunney	Sept. 17, 1973

H.R. 4200 as reported (Senate Report No. 93-394) without amendment, September 17, 1973.

H.R. 4200 as passed Senate amended, September 19, 1973. [The Senate amended H.R. 4200 by adding S. 4 as amended to H.R. 4200, as Section 2.]

H.R. 2 as reported (House Report No. 93-533) with an amendment, October 2, 1973.

H.R. 12481² as introduced by Mr. Ullman *et al.* and referred to the House Ways and Means Committee, 93rd Congress, February 4, 1974.

H.R. 12481 as reported (House Report No. 93-799), February 5, 1974.

² The House Ways and Means Committee issued tentative drafts of language under consideration by the Committee prior to the introduction of H.R. 12481 and H.R. 12855:

Committee Print No. 1, House Ways and Means Committee draft of the Employee Benefit Security Act of 1973, November 21, 1973.

Committee Print No. 2, House Ways and Means Committee draft of the Employee Benefit Security Act of 1974, December 21, 1973.

H.R. 12855 as introduced by Mr. Ullman *et al.* and referred to the House Ways and Means Committee, 93rd Congress, February 19, 1974.

H.R. 12906 as introduced by Mr. Dent, February 20, 1974.

H.R. 12855 as reported (House Report No. 93-807), February 21, 1974. [H.R. 12855, which superseded H.R. 12481, was adopted by the House as an amendment to H.R. 2 as Title II.]

H.R. 2 as passed by the Senate amended, March 4, 1974. [The Senate amended H.R. 2 by striking all House language and inserting the language of H.R. 4200 in lieu thereof.]

H. Con. Res. 609 as introduced by Mr. Ullman, August 20, 1974.

H. Con. Res. 609 received August 21, 1974.

H. Con. Res. 609 August 22, 1974.

RELATED BILLS

89th Congress

S. 1575 as introduced by Mr. Hartke and referred to the Senate Finance Committee, 89th Congress, March 18, 1965. (Reprinted on page 1 of item Hearings before the Senate Finance Committee on S. 1575.)

90th Congress

H.R. 5741 as introduced by Mr. Perkins and referred to the House Education and Labor Committee, 90th Congress, February 20, 1967. (Reprinted on page 2 of Hearings before the General Subcommittee on Labor of the House Education and Labor Committee on H. 5741.)

S. 1024 as introduced by Mr. Yarborough and referred to the Senate Labor and Public Welfare Committee, 90th Congress, February 20, 1967. (Reprinted on page 48 of Hearings before the Subcommittee on Labor of the Senate Labor and Public Welfare Committee on S. 3421, S. 1024, S. 1103, and S. 1255.)

S. 1103 as introduced by Mr. Javits and referred to the Senate Labor and Public Welfare Committee, 90th Congress, February 28, 1967. (Reprinted on page 91 of Hearings before the

Subcommittee on Labor of the Senate Labor and Public Welfare Committee on S. 3421, S. 1024, S. 1103, and S. 1255.)

H.R. 6498 as introduced by Mr. Dent and referred to the House Education and Labor Committee, 90th Congress, March 2, 1967. (Unavailable for inclusion.)

S. 3421 as introduced by Mr. Yarborough and referred to the Senate Labor and Public Welfare Committee, 90th Congress, May 2, 1968. (Reprinted on page 4 of Hearings before the Subcommittee on Labor of the Senate Labor and Public Welfare Committee on S. 3421, S. 1024, S. 1103, and S. 1255.)

H.R. 6498 as reported (House Report No. 90-1867), September 5, 1968.

91st Congress

H.R. 1045 as introduced by Mr. Dent and referred to the House Education and Labor Committee, 91st Congress, January 3, 1969.

H.R. 1046 as introduced by Mr. Dent and referred to the House Education and Labor Committee, 91st Congress, January 3, 1969.

S. 2167 as introduced by Mr. Javits and referred to the Senate Labor and Public Welfare Committee, 91st Congress, May 14, 1969.

S. 3517 as introduced by Mr. Hartke *et al.* and referred to the Senate Finance Committee, 91st Congress, February 26, 1970.

S. 3589 as introduced by Mr. Javits *et al.* and referred to the Senate Labor and Public Welfare Committee, 91st Congress, March 13, 1970.

H.R. 16462 as introduced by Mr. Ayres *et al.* and referred to the House Education and Labor Committee, 91st Congress, March 16, 1970.

S. 4326 as introduced by Mr. Williams of New Jersey and referred to the Senate Labor and Public Welfare Committee, 91st Congress, September 9, 1970.

S. 4327 as introduced by Mr. Williams of New Jersey and referred to the Senate Labor and Public Welfare Committee, 91st Congress, September 9, 1970.

92nd Congress

H.R. 1269 as introduced by Mr. Dent and referred to the House Education and Labor Committee, 92nd Congress, January 22, 1971.

S. 2 as introduced by Mr. Javits and referred to the Senate Labor and Public Welfare Committee, 92nd Congress, January 25, 1971.

S. 3598 as introduced by Mr. Williams *et al.* and referred to the Senate Labor and Public Welfare Committee, 92nd Congress, May 11, 1972.

S. 3012 as introduced by Mr. Curtis *et al.* (Administration's bill) and referred to the Senate Finance Committee, 92nd Congress, December 14, 1971.

S. 3012 as introduced by Mr. Curtis *et al.* (Administration's bill) and referred to the Senate Finance Committee, 92nd Congress, December 14, 1971.

S. 3024 as introduced by Mr. Javits *et al.* (by request) and referred to the Senate Labor and Public Welfare Committee, 92nd Congress, December 14, 1971.

H.R. 12272 as introduced by Mr. Mills of Arkansas *et al.* (Administration's bill) and referred to the House Ways and Means Committee, 92nd Congress, December 14, 1971. (See House Document No. 92-182 for Presidential message.)

H.R. 12337 as introduced by Mr. Erlenborn *et al.* (Administration's bill) and referred to the House Education and Labor Committee, 92nd Congress, December 15, 1971.

S. 3598 as reported Senate (Senate Report No. 92-1150) with an amendment by the Senate Labor and Public Welfare Committee, September 15, 1972.

S. 3598 as reported Senate (Senate Report No. 92-1224) with additional amendments by the Senate Finance Committee, September 25, 1972.

93rd Congress

H.R. 462 as introduced by Mr. Dent *et al.* and referred to the House Education and Labor Committee, 93rd Congress, January 3, 1973.

S. 75 as introduced by Mr. Griffin and referred to the Senate Finance Committee and the Senate Labor and Public Welfare Committee, 93rd Congress, January 4, 1973.

H.R. 7157 as introduced by Mr. Mills of Arkansas *et al.* (Administration's bill) and referred to the House Ways and Means Committee, 93rd Congress, April 18, 1973.

S. 1631 as introduced by Mr. Hansen *et al.* and referred to the Senate Finance Committee, 93rd Congress, April 18, 1973.

H.R. 10470 as introduced by Mr. Ullman and referred to the House Ways and Means Committee, 93rd Congress, September 24, 1973.

H.R. 10489 as introduced by Mr. Erlenborn *et al.* and referred to the House Ways and Means Committee, 93rd Congress, September 24, 1973.

H.R. 12781 as introduced by Mr. Dent and referred to the House Education and Labor Committee, 93rd Congress, February 13, 1974.

CONGRESSIONAL DEBATES

93rd Congress

119 Congressional Record (Daily Edition) - 93rd Congress, 1st Session - 1973:

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September 18, 1973	p. D1033
September 19, 1973	pp. D1041-42

120 Congressional Record (Daily Edition) - 93rd Congress,
2nd Session - 1974:

February 26, 1974	p. D140
February 27, 1974	p. D148
February 28, 1974	pp. D156-57
March 4, 1974	p. D169
April 2, 1974	p. D341
August 20, 1974	p. D1032
August 22, 1974	pp. D1046-47

REMARKS ON THE FLOOR OF CONGRESS

Remarks by Mr. Williams upon introduction of S. 4, January 4, 1973, pp. S34-52.

Remarks by Mr. Dent regarding private pension plan legislation, January 6, 1973, p. S65.

Remarks by Mr. Bentsen upon introduction of S. 1179, March 13, 1973, pp. S4423-35.

House consideration and passage of H.R. 4200, June 27, 1973, pp. H5481-83. [H.R. 4200 as considered and passed the House did not contain any provisions eventually included in P.L. 93-406.]

Remarks by Mr. Mondale upon submission of Amendments Nos. 378 and 379 as intended to be proposed to S. 4, and Amendments Nos. 380 and 381 as intended to be proposed to H.R. 4200, July 18, 1973, pp. S13785-86.

Remarks by Senators Taft and Hartke upon submission of Amendments Nos. 478, 479, 482, 485 as intended to be proposed to S. 4, and Amendments Nos. 480, 484 as intended to be proposed to S. 1179, September 13, 1973, pp. S16471-75.

Remarks by Mr. Hartke regarding portability, September 13, 1973, pp. S16489-90.

Remarks by Mr. Jackson upon submission of Amendments Nos. 488 and 489 as intended to be proposed to S. 4, September 17, 1973, pp. S16623-25.

Senate consideration and amendment of S. 4 [S. 1179 was not considered separately but in conjunction with S. 4 in the Senate.]:

September 17, 1973	pp. S16675-87
September 18, 1973	pp. S16694-761 p. S16779
	pp. S16824-39
September 19, 1973	pp. S16853-61 pp. S16866-915

Senate consideration, amendment and passage of H.R. 4200, September 19, 1973, pp. S16915, S16927. [Passage of H.R. 4200 and appointment of conferees; indefinite postponement of S. 4 and S. 1179, September 19, 1973.]

"Summary of the Committee on Ways and Means Decisions Relating to the Tax Title of the Employee Benefit Security Act of 1974," as submitted by Mr. Ullman for printing in the Congressional Record, February 4, 1974, pp. H455-57.

House consideration, amendment and passage (p. H1342) of H.R. 2:

February 25, 1974	pp. H1094-118
February 26, 1974	pp. H1126-82
February 27, 1974	pp. H1243-51
February 28, 1974	pp. H1278-343

Senate consideration, amendment and passage of H.R. 2:

March 4, 1974	pp. S2611-45 [Passage of H.R. 2 and appointment of conferees, p. S2645.]
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House disagreement to Senate amendment of H.R. 2, agreement to Senate request for conference and appointment of conferees, April 2, 1974, p. H2388.

Conference Report (House Report No. 93-1280) to accompany H.R. 2 submitted to the House:

August 12, 1974	pp. H8163-70
August 13, 1974	pp. H8217-311

Conference Report (Senate Report No. 93-1090) to accompany H.R. 2 submitted to the Senate, August 13, 1974, p. S14737.

House consideration and agreement to the Conference Report on H.R. 2, August 20, 1974, pp. H8696-719. [House agreement, p. H8719.]

House consideration and agreement to H. Con. Res. 609, a resolution authorizing the Clerk to make corrections in H.R. 2, August 20, 1974, pp. H8720-22.

Senate consideration and agreement to the Conference Report on H.R. 2, August 22, 1974, pp. S15737-74. [Senate agreement, p. S15772.]

Senate consideration and agreement to H. Con. Res. 609, August 22, 1974, pp. S15734-37.

MISCELLANEOUS MATERIAL

"Public Policy and Private Pension Programs: A Report to the President on Private Employee Retirement Plans," by the President's Committee on Corporate Pension Funds and Other Private Retirement and Welfare Programs, January 15, 1965.

House Document No. 93-82, "Recommendations for Pension Reform," a message from The President of the United States, December 8, 1971.

House Document No. 92-182, "Private Pension Plans," a message from The President of the United States, December 8, 1971.

"Study of Pension Plan Termination, 1972," a final report by the Department of the Treasury and Department of Labor, August 1973.

Remarks and Statement by The President of the United States upon signing the Employee Retirement Income Security Act of 1974 (P.L. 93-406) into law, 10 Pres. Doc. 1084-85 (1974).

**Persons and Organizations
Who Provided Oral and Written Statements
to Congress**

**Persons and Organizations Who Provided
Oral and Written Statements to Congress**

Members of Congress

1. Anderson, Hon. John B., a Representative in Congress from the State of Illinois
2. Baker, Hon. Howard H., a U.S. Senator from the State of Tennessee
3. Bennett, Hon. Charles E., a Representative in Congress from the State of Florida, statement of
4. Bentsen, Hon. Lloyd, a U.S. Senator from the State of Texas
5. Boland, Hon. Edward P., a Representative in Congress from the State of Massachusetts
6. Brown, Hon. Clarence J., a Representative in Congress from the State of Ohio
7. Broyhill, Hon. James T., a Representative in Congress from the State of North Carolina
8. Carney, Hon. Charles J., a Representative in Congress from the State of Ohio, including a prepared statement
9. Chiles, Hon. Lawton, a U.S. Senator from the State of Florida
10. Cohen, Hon. William S., a Representative in Congress from the State of Maine
11. Dingell, Hon. John D., a Representative in Congress from the State of Michigan
12. Driggs, Hon. John, Phoenix, Ariz.
13. Edwards, Hon. Jack, a Representative in Congress from the State of Alabama
14. Erlenborn, Hon. John N., a Representative in Congress from the State of Illinois
15. Esch, Hon. Marvin L., a Representative in Congress from the State of Michigan
16. Findley, Hon. Paul, a Representative in Congress from the State of Illinois
17. Fraser, Hon. Donald M., a Representative in Congress from the State of Minnesota

18. Griffin, Hon. Robert P., a U.S. Senator from the State of Michigan
19. Griffiths, Hon. Martha W., a Representative in Congress from the the State of Michigan
20. Halpern, Hon. Seymour, a Representative in Congress from the State of New York, including a prepared statement
21. Hanrahan, Hon. Robert P., a Representative in Congress from the State of Illinois
22. Hartke, Hon. Vance, a U.S. Senator from the State of Indiana
23. Harvey, Hon. James, a Representative in Congress from the State of Michigan
24. Heinz, Hon. H. John, III, a Representative in Congress from the State of Pennsylvania
25. Hillis, Hon. Elwood H., a Representative in Congress from the State of Indiana
26. Javits, Hon. Jacob K., a U.S. Senator from the State of New York
27. Johnson, Hon. Harold T., a Representative in Congress from the State of California
28. Keogh, Hon. Eugene J., a former Representative in Congress from the State of New York
29. Long, Hon. Clarence D., a Representative in Congress from the State of Maryland
30. Mallery, Hon. Richard W., a Representative in Congress from the State of Vermont
31. McClory, Hon. Robert, a Representative in Congress from the State of Illinois
32. McCloskey, Hon. Paul N., Jr., a Representative in Congress from the State of California
33. Meeds, Hon. Lloyd, a Representative in Congress from the State of Washington
34. Mollohan, Hon. Robert H., a Representative in Congress from the State of West Virginia
35. Mondale, Hon. Walter F., a U.S. Senator from the State of Minnesota

36. Moorhead, Hon. William S., a Representative in Congress from the State of Pennsylvania, including a prepared statement
37. Nelsen, Hon. Ancher, a Representative in Congress from the State of Minnesota
38. Nelson, Hon. Gaylord, a U.S. Senator from the State of Wisconsin
39. Nichols, Hon. Bill, a Representative in Congress from the State of Alabama
40. Percy, Hon. Charles H., a U.S. Senator from the State of Illinois
41. Podell, Hon. Bertram L., a Representative in Congress from the State of New York
42. Prouty, Hon. Winston L., a U.S. Senator from the State of Vermont
43. Railsback, Hon. Tom, a Representative in Congress from the State of Illinois
44. Randolph, Hon. Jennings, a U.S. Senator from the State of West Virginia
45. Roush, Hon. J. Edward, a Representative in Congress from the State of Indiana
46. St. Germain, Hon. Fernand J., a Representative in Congress from the State of Rhode Island
47. Sisk, Hon. B. F., a Representative in Congress from the State of California
48. Smith, Hon. Henry P., III, a Representative in Congress from the State of New York
49. Stevenson, Hon. Adlai E., III, a U.S. Senator from the State of Illinois, including a prepared statement
50. Thurmond, Hon. Strom, a U.S. Senator from the State of South Carolina
51. Waldie, Hon. Jerome R., a Representative in Congress from the State of California
52. Williams, Hon. Harrison A., a U.S. Senator from the State of New Jersey
53. Williams, Hon. Lawrence G., a Representative in Congress from the State of Pennsylvania

54. Wylie, Hon. Chalmers P., a Representative in Congress from the State of Ohio

Federal Officials

1. Ball, Hon. Robert M., Commissioner, Social Security Administration
2. Chapoton, John E., Tax Legislative Counsel, Department of the Treasury
3. Cohen, Hon. Edwin S., Assistant Secretary for Tax Policy
4. Cohen, Manuel F., former Chairman of the Securities and Exchange Commission
5. Cohen, Hon. Sheldon S., Commissioner of Internal Revenue
6. Donahue, Hon. Thomas R., Assistant Secretary of Labor for Labor-Management Services, Department of Labor
7. Fasser, Paul J., Assistant Secretary of Labor for Labor-Management, Department of Labor
8. Gold, Ronald B., Department of Treasury
9. Hall, John H., Deputy Assistant Secretary for Tax Policy, Treasury Department
10. Hickman, Frederic W., Assistant Secretary, Department of the Treasury
11. Hodgson, Hon. James D., Secretary of Labor
12. Kleiler, Frank M., Deputy Assistant Secretary for Labor Relations Planning and Evaluation, Department of Labor
13. Macy, Jr., Hon. John W., Chairman, U.S. Civil Service Commission
14. Morris, Dr. Frank E., Federal Reserve Bank of Boston, Mass.
15. Saxon, Hon. James J., Comptroller of the Currency
16. Segal, Hon. Joel, Deputy Assistant Secretary
17. Shultz, Hon. George P., Secretary of the Treasury
18. Solomon, Frederic, Director, Division of Examinations, Board of Governors of the Federal Reserve System

19. Surrey, Hon. Stanley S., Assistant Secretary, Department of the Treasury
20. Wirtz, Hon. W. Willard, Secretary of Labor

State Insurance Regulators

1. Bitzer, Frederick, Deputy Commissioner of Insurance, State of Connecticut
2. DuRose, Stanley, Jr., Commissioner of Insurance, State of Wisconsin; Chairman, National Association of Insurance Commissioners
3. Stern, Jr., Henry Root, Superintendent of Insurance of the State of New York

Representatives of Chambers of Commerce, State and Local Governments, and Civic and Religious Organizations

1. Agostinelli, Hon. Nathan G., Connecticut State Comptroller
2. American Library Association
3. Barron, Arthur W., Jr., Franciscan Sisters of the Sacred Heart
4. Bell, Jay T., Missouri Municipal League
5. Boynton, Edwin F., Chamber of Commerce of the United States
6. Brann, Lester W., Jr., Illinois State Chamber of Commerce
7. Brown, Larry R., Greater Canton (Ohio) Chamber of Commerce
8. Burris, Carol, Women's Lobby, Inc.
9. Crowley, John F., San Francisco Labor Council
10. Council of State Chambers of Commerce
11. Davis, Hilton, Chamber of Commerce of the United States
12. Denning, Layne J., City and County of Denver, Colo.
13. Fraser, Arvonne, Women's Equity Action League
14. Galper, Harvey, Urban Institute, Washington, D.C.
15. Gill, Hon. Edwin, Treasurer of North Carolina

16. Godwin, Gerald C., Pennsylvania State Association of Boroughs
17. Grieglak, Martin, Pennsylvania New Democratic Coalition
18. Gunther, John J., U.S. Conference of Mayors
19. Hillenbrand, Bernard F., National Association of Counties
20. Jones, Nicholas P., City of Janesville (Wis.)
21. Joseph, William J., Division of Pensions, State of New Jersey
22. Lesser, Leonard, Center for Community Change
23. Lucey, Hon. Patrick J., Governor, State of Wisconsin
24. McMichael, Jane, National Women's Political Caucus
25. Medoff, Joanne, Ripon Society
26. Melgard, Andrew A., Committee Executive, Chamber of Commerce Private Pension—Social Security Committee, on Behalf of the Chamber of Commerce of the United States
27. Miller, Betty G., City of Inkster, Mich.
28. Noble, S. D., Council of Profit Sharing Industries
29. Nordstrom, Carl C., Kansas Association of Commerce & Industry
30. Olson, Marianne, Pennsylvania New Democratic Coalition
31. Parsons, Samuel B., Delaware County (Pa.) Chamber of Commerce
32. Pritchard, Allen E., Jr., National League of Cities
33. Roach, Arvid, Director of the Bureau of Labor Services of New York City
34. Robinson, James L., United States Catholic Conference
35. Rutterford, Jr., Guy G., Ripon Society
36. Starr, Harold W., American National Red Cross
37. Stevens, Hon. Gerald F., Connecticut House of Representatives
38. Stone, Daniel E., City of Riverside, Cal.
39. Taylor, David L., South Jersey Chamber of Commerce
40. Thompson, Robert T., Chamber of Commerce of the United States

41. Walsh, John V. Dubuque (Iowa) Area Chamber of Commerce
42. Whittow, George, City of Milwaukee, Wis.
43. Willis, E. S., Chamber of Commerce of the United States
44. Worth, Larry D., City of New Castle, Pa.

Insurance Industry Representatives

1. American Life Convention and Life Insurance Association of America
2. American Life Insurance Association
3. Arends, Verne J., Northwestern Mutual Life Insurance Co.
4. Asbill, Mac, Jr., Massachusetts Mutual Life Insurance Co.; The Travelers Insurance Co.
5. Association of Life Underwriters
6. Attwood, James A., Equitable Life Assurance Society of the United States
7. Barberg, W. Warren, National Association of Life Underwriters; National Association of Life Underwriters Committee on Federal Law and Investigation
8. Campbell, J. Ronald, Lincoln National Life Insurance Co.
9. Carnation, Gould, Citadel Life Insurance Co. of New York
10. Cathles, Lawrence M., Jr., Aetna Life & Casualty Co.
11. Dobb, Harold, United States Life Insurance Co.
12. Ehlers, Edwin S., Lincoln Life Insurance Co.
13. Ellinger, Jay, Equitable Life Assurance Society of America
14. Ferguson, Francis E., Northwestern Mutual Life Insurance Co.
15. Green, Roger A., Mutual Life Insurance Co. of New York.
16. Hubbard, Buckley, Jr., National Association of Life Underwriters; Association for Advanced Life Underwriting

17. Hunter, Douglas B., Insurance Association of Connecticut; Connecticut Business & Industry Association; American Life Insurance Association; Connecticut General Life Insurance Co.
18. Hurd, G. David, Bankers Life Co.
19. Indianer, Paul S., Standard Life & Accident Insurance Co.
20. Johnson, Donald M., Aetna Life & Casualty
21. Kingston, Charles T., Association for Advanced Life Underwriting; National Association of Life Underwriters
22. Lapoe, W. G., Safeco Insurance Co.
23. Larkin, Jerry D., Great-West Life Assurance Co.
24. Life Insurance Association of America and American Life Convention
25. Mitchell, Thomas, Midland Mutual Life Insurance Co.
26. Munde, C. Roy, Jr., Pan American Life Insurance Co.
27. New England Mutual Life Insurance Co.
28. Northwestern Mutual Life Insurance Co.
29. Orth, Frederick J., Unigard Insurance Group
30. Quinn, A. Peter, Jr., Massachusetts Mutual Life Insurance Co.
31. Rheingold, Arnold M., Empire State Mutual Life Insurance Co.
32. Rohm, C.E., Bankers Life Co.
33. Rosen, Lester A., National Association of Life Underwriters
34. Stamm, Charles H., III, Connecticut General Life Insurance Co.
35. Stehle, Raymond D., Massachusetts Mutual Life Insurance Co.
36. Tarver, Norman, Manufacturers' Life Insurance Co.
37. Thomas, W. S., Metropolitan Life
38. Thompson, Norm, Equitable Life Assurance Society of the United States
39. Townsend, Tom E., Aetna Life & Casualty
40. Ware, Robert C., Trustee Life Insurance Co.
41. Warren, Barbara, National Association of Life Underwriters

42. Webster, Joseph A., Jr., American Society of Chartered Life Underwriters
43. Whelehan, David D., Connecticut Mutual Life Insurance Co.
44. Witman, Andrew, Mutual Life Insurance Co. of New York
45. Wolper, Marshall I., Association for Advanced Life Underwriting.
46. Woodruff, Dale L., American Guaranty Life Insurance Co.

Representatives of Pension Plans and Plan Beneficiaries

1. Albright, Robert A., National Association of Manufacturers, U.S. Steel and Carnegie Pension Fund
2. American Association of Retired Persons
3. American Pension Conference
4. Backe, Richard, Joint Committee on Pensions
5. Baron, Robert W., Coordinator, USW, District 15, Pensioners Association
6. Baskin, Charles G., Pension Subcommittee of Golf Course Superintendents Association of America
7. Bertani, Albert R., Pacific Coast Pensioners Association
8. Brickfield, Cyril F., American Association of Retired Persons—National Retired Teachers Association
9. Cardon, John A., Washington, D.C., Ad Hoc Corporate Pension Fund Committee
10. Cikanek, Benjamin W., Chicago Area Retail Food Clerks Pension Fund
11. Council on Employee Benefits
12. Crozier, Edwin W., Retail Clerks Union & Employers Pension Fund
13. Cruikshank, Nelson H., President, National Council of Senior Citizens
14. Edwards, Thomas C., Teachers Insurance and Annuity Association of America, College Retirement Equities Fund
15. Flynn, Ralph J., Coalition of American Public Employees

16. Garfinkel, Arthur K., Retirement Fund of Retail Shoe Employees
17. Greenberg, Bernard, Pension Department, United Steelworkers of America
18. Greenough, Dr. William C., Teachers Insurance & Annuity Association of America, College Retirement Equities Fund
19. Grubbs, Donald S., Jr., National Health & Welfare Retirement Association
20. Haase, Al S., National Conference on Public Employee Retirement Systems
21. Hayes, Frances X., New Jersey Brewery Employees Trust Fund
22. Houck, Kenneth L., Bethlehem Steel Corp., Ad Hoc Corporate Pension Fund Committee
23. Hughes, Peter, American Association of Retired Persons-National Retired Teachers Association
24. Hutton, William R., National Council of Senior Citizens
25. Ivers, Henry, Western Conference of Teamsters Pension Trust Fund
26. Janitors' Union Local No. 25 and Participating Employers Pension Trust
27. Joint Board of Trustees, Local 705, International Brotherhood of Teamsters, Pension Trust Fund
28. Jones, Edwin M., Esq., of the New York law firm of Shea, Gould, Climenko & Kramer, counsel for the Elgin National Industries Pension Plan and Trust
29. Kennedy, Jack E., National Council on Teacher Retirement
30. Landry, Jerome, National Conference on Public Employee Retirement Systems
31. Little, Thomas L., First National Retirement Corp. of America
32. Longnecker, Ed R., National Association of State Retirement Administrators
33. Miller, Bruce K., National Senior Citizens Law Center
34. Nash, Bernard E., American Association of Retired Persons—National Retired Teachers Association

35. Nathanson, Paul, National Senior Citizens Law Center
36. National Retired Teachers Association
37. Neal, Howard F., Western Pension Conference
38. Payne, William, State of California Public Employees Retirement System
39. Prewitt, Leonard, National Council on Teacher Retirement, National Education Association
40. Rodio, Frank, Jr., Review of U.S. Private Pension Plans
41. St. Martin, Arthur J., Procter & Gamble Employees Association
42. Sublett, James L., State Teachers Retirement System of Ohio
43. Sullivan, Clyde M., State of Wisconsin, Department of Employee Trust Funds
44. Sutherland, C. Bruce, Carpenter Funds of Northern California
45. Tennant, W. Jack, office of teacher retirement, National Education Association
46. Twinney, Marc, M., Jr., Ford Motor Co., Ad Hoc Corporate Pension Fund Committee
47. Tyson, Michael, Action Alliance of Senior Citizens in Greater Philadelphia
48. Western Conference of Teamsters Pension Trust

Representatives of Providers of Professional Services to Pension Plans

1. Adams, Lloyd, Vance, Sanders & Co., Inc.
2. Adams, Scott, Portland Brokerage Agency
3. American Bankers Association
4. Antin, Michael, Pension Attorney
5. Armstrong, John K., Armstrong & Bray
6. Arnold, E. Allen, Wyatt Co.
7. Aronsohn, Alan J. B., Robinson, Silverman, Pearce, Aronsohn, Sand & Berman
8. Asbill, Mac, Jr., American Bar Association
9. Association of Mutual Fund Plan Sponsors
10. Association of the Bar of the City of New York, Committee on Taxation

11. Attenborough, Roland M., Specialized Corporate Services
12. Augenblick, Robert L., Investment Company Institute
13. Augustine, Thomas S., Oregon Credit Union League
14. Barnard, John, Jr., Massachusetts Financial Services
15. Bassett, Preston C., Towers, Perrin, Forster & Crosby
16. Beaupre, Robert S., First National Bank
17. Berger, Paul, Arnold & Porter
18. Bernstein, Richard E., National Pension Consultants, Inc.
19. Bevan, Robert L., American Bankers Association
20. Biegel, Herman C., Lee, Toomey & Kent
21. Bingham, William J., Jr., First Bank System
22. Boersma, Vernon L., M.D.
23. Boggs, Thomas Hale, Jr., Donaldson, Lufkin & Jenrette, Inc.
24. Bokor, Bruce H., Greenberg, Traurig, Hoffman, Lipoff & Quentel, P.C.
25. Bolton, Frederick H., Pennsylvania Bar Association
26. Bonsal, Richard I., Joshua L. Baily & Co., Inc.
27. Bridges, John F., First Investment Annuity Co. of America
28. Brown, Bart A., Jr., Dinsmore, Shohl, Coates & Deupree
29. Brown, Dorothy Q., New England Pension Services, Inc.
30. Broxterman, Wilfred F., Credit Union National Association, Inc.
31. Brunke, Kenneth E., Jr., President, Brunke & Co., Chicago, Ill.
32. Butler, Paul F., State Street Bank & Trust Co.
33. Calvin, Donald L., New York Stock Exchange
34. Cardon, John A., Lee, Toomey & Kent
35. Carpenter, Carlton L., Jr., M.D.
36. Carr, Richard R., Lynch, Lynch & Carr
37. Carroll, Dale S., Capital Review Corp.
38. Case, Raymond A., M.D.
39. Casey, Elizabeth M., Marsh & McLennan, Inc.
40. Casey, Louie C., Jr., State Bank of Jacksonville (Fla.)

41. Chapman, Wayne E., Cravath, Swaine & Moore
42. Clark, Harold, Peat, Marwick, Mitchel & Co.
43. Cohen, Edwin S., Covington & Burling
44. Cohen, Sheldon S., American Bar Association
45. Collie, Marvin K., Vinson, Elkins, Searls, Connally & Smith
46. Connors, John A., Kwasha Lipton, Inc.
47. Cookenbach, John M., American Bankers Association
48. Cooper, Henry T., Employee Benefit Plans, Inc.
49. Cooper, J. W., Corporate Fiduciaries Association of Illinois
50. Corporate Fiduciaries Association of Illinois, Employee Trusts Committee
51. Covey, Richard B., Carter, Ledyard and Milburn
52. Crim, E. T., M.D., Greenville Medical & Surgical Clinic
53. Cummings, Frank, Gall, Lane, Powell & Kilcullen
54. Curll, Daniel B., Day & Zimmermann Consulting Services
55. Curtis, James A., Milliman & Robertson, Inc., Actuaries
56. Dean, Thomas R., Dean's Custom Pensions, Inc.
57. Derlacki, Eugene L., M.D.
58. DeWind, Adrian W., Paul, Weiss, Rifkind, Wharton & Garrison
59. Didden, George A., Jr., National Capital Bank of Washington
60. Di Placido, Frank, D.D.S.
61. Disch, Aloysius J., Pension Associates, Inc.
62. Disney, Walter, Esq., Bundschu, Bailey & Disney
63. Dreher, William A., William A. Dreher & Associates, Inc.
64. Duncan, Carl I., Carl I. Duncan & Associates
65. Eichenbaum, E. Chas., Arkansas Bar Association
66. Elmendorf, Thomas, M.D., California Medical Association
67. Evans, W. F., W. F. Evans & Associates
68. Fellers, William W., Wyatt Co.
69. Fersko, Alfred, Fersko, Wasilewski & Co.

70. Fineberg, Henry I., M.D., Medical Society of the State of New York
71. Fisher, John W., Towers, Perrin, Forster, and Crosby, Inc.
72. Fisher, Merle R., Bank of America National Trust & Savings Association
73. Ford, Eugene W., Union Bank
74. Fortuin, Henry J. L., Jr., Marsh & McLennan, Inc.
75. Freeman, Gaylord, First National Bank of Chicago
76. Friend, Edward H., Edward H. Friend & Co.
77. Friedes, Peter E., Hewitt Associates
78. Friedman, Jerome P., Bailey, Moore & Glazer
79. Frimet, Gilbert M., Frimet, Goren & Bellammy
80. Giannini, Dr. J. P.
81. Gillette, Robert J., Aetna Capital Management, Inc.
82. Gilreath, James R., Dobson & Dobson
83. Gilsdorf, Lawrence J., Trust Consultants, Inc.
84. Ginsburg, Martin D., Weil, Gotshal & Manges
85. Glasmann, Jay W., Ivins, Phillips & Barker
86. Goddard, John, Knight & Ferry
87. Goldman, Kenneth A., Irell & Manella
88. Goldstein, Gerald, Advance Retirement Systems Corp.
89. Goodman, R. D., M.D.
90. Gould, Morris, Pension Counsellors, Inc.
91. Grant, Richard V., Medical Group Management Association
92. Graziano, Frank J., Crompton & Knowles Corp.
93. Griffes, Ernest J. E., American Society for Personnel Administration Members
94. Griswold, Bruce, American Bar Association
95. Grobe, Charles S., Grobe, Reinstein & Katz
96. Guntermann, Anthony, Guntermann, Johnston, Ball & Thompson
97. Hambleton, C. J., Harris Trust & Savings Bank
98. Hand, William W., American Society of Pension Actuaries
99. Hargrave, Alexander D., Lincoln First Bank of Rochester
100. Harman, Stetson B., The American Bankers Association

101. Hart, N. Berne, United Bank of Denver
102. Hartman, Willard, Wyatt Co.
103. Haymes, Steven, P. Ballantine & Sons, Investors Funding Corp.
104. Hazlehurst, Blackburn, H. Hazlehurst & Associates, Inc.
105. Helganz, Arthur J., American Institute of Certified Public Accountants
106. Henning, Charles J., National Bank of Sarasota
107. Hill, Robert S., Gary, Geyer, Hill & Nadell, Inc.
108. Hinchman, William R., Jr., Chase Manhattan Bank
109. Hodgson, Charles E., Corporate Benefit Planners, Inc.
110. Homola, Benjamin, Member, Employees Trust Committee, Corporate Fiduciaries Association of Illinois
111. Hosinski, David A., St. Joseph Bank & Trust Co.
112. Howard, Ernest B., M.D., American Medical Association
113. Hubbard, R. H., Council on Employee Benefits
114. Huge, Harry Esq., Arnold & Porter
115. Isler, Robert F., Oregon Society of Certified Public Accountants
116. Isom, Kelly W., Capital Exchange Corp.
117. Jackson, Paul H., Wyatt Co.
118. Jemas, Nick, Jockeys' Guild, Inc.
119. Jenks, Thomas E., Lee, Toomey & Kent
120. Jones, Edwin M., Clay, Gold, Climanco & Kramer
121. Kahn, James, Pension Planning Co.
122. Kaiser Foundation Health Plan, Inc.
123. Kelly, W. Thomas, First Investment Annuity Co. of America
124. Kelso, Louis O., Bangert & Co.
125. Kent, Edgar F., Connecticut Bank & Trust Co.
126. Kerr, Ben J., Jr., Mercantile National Bank
127. Kesner, John W., California Bankers Association
128. Keydel, Frederick R., Joslyn & Keydel
129. Klint, Walter E., Council on Employee Benefits
130. Klocker, Tom, Tom Klocker & Associates
131. Klostermeier, Walter R., First National Bank in St. Louis

132. Kull, Ronald L., Idaho State Bar Board of Commissioners
133. Kuller, Frank E., M.D.
134. Kurtz, Jerome, Wolf, Block, Schorr & Solis-Cohen
135. LaChapelle, George R., Credit Union National Association, Inc.
136. Lackman, William F., American Bankers Association
137. Lamberton, Ian K., Financial Executives Institute
138. Lamon, Harry V., Jr., Henkel & Lamon
139. Layton, LeRoy, American Institute of Certified Public Accountants
140. Lazara, Joseph H., Brent, Prince & Beck
141. Leo, Mario, Towers, Perrin, Forster & Crosby, Inc.
142. Lewis, James B., Paul, Weiss, Rifkind, Wharton & Garrison
143. Lidstone, Herrick K., Battle, Fowler, Stokes & Kheel
144. Limbert, Herbert, Peat, Marwick, Mitchel & Co.
145. Lindquist, John, Profit Sharing Council of America
146. Lingua, George M., First National City Bank
147. Lynch, Hilary G., Lynch, Lynch & Carr
148. Lyons, Robert, Esq., Spencer, Fane, Britt & Browne
149. MacDougall, John A., Jr., Edward H. Friend & Co.
150. Maer, Claude M., Jr., Holland & Hart
151. Maier, Kenneth J., M.D.
152. Maloyan, Richard, Maloyan Associates
153. Mandler, James E., Corporate Fiduciaries Association of Illinois
154. Maressa, Vincent A., Medical Society of New Jersey
155. Martin E. Segal Co.
156. McCabe, George, Consolidated Pension Consultants, Inc.
157. McFarland, David W., Overlake Internal Medicine Associates
158. McGinn, Daniel F., Transamerica Consultants Inc.
159. McKay, Neil, First National Bank of Chicago
160. McMillan, A. P., Jr., Insurance Analytical Service, Inc.
161. Michigan Credit Union League

162. Midkiff, Robert R., American Trust Co. of Hawaii, Inc. Profit Sharing Council of America, Hawaii Chapter
163. Miller, Morton D., American Academy of Actuaries
164. Mills, Robert P., R. P. Mills Associates, Inc.
165. Morris, James L., E. F. White & Associates
166. Morrison, Thomas L., M.D.
167. Mosiman, Morton C., Deferred Compensation Administrators, Inc.
168. Mudge, John T., First National Bank
169. Mulhern, Joseph P., McDermott, Will & Emery
170. Murdoch, Converse, Murdoch, Longobardi, Schwartz & Walsh
171. Myers, Robert J., Society of Actuaries
172. National League of Insured Savings Associations
173. Nelson, J. Thomas, Household Finance Corp.
174. Nolan, John S., Ivins, Phillips & Baker
175. Nolan, John S., Miller & Chevalier
176. O'Regan, Thomas J., Jr., Chicago Bar Association
177. Oliver, Sergio M., First Guaranty Bank
178. Paine, Thomas H., Council on Employee Benefits; Hewitt Associates
179. Paul, Robert D., Martin E. Segal Co.
180. Pickard, Henry A., Pickard, Inc.
181. Pickering, Robert H., Robert H. Pickering & Associates, Ltd.
182. Pittard, M. D., M.D.
183. Poston, Elizabeth C., Edward H. Friend & Co.
184. Potts, Ramsay D., Investment Counsel Association of America
185. Powell, George V., Lane, Powell, Moss & Miller
186. Profit Sharing Council of America
187. Rankin, B. Courtney, National Bank of Detroit
188. Retan, Ted H., American Actuaries, Inc.
189. Retirement Equities Fund
190. Reynolds, Joseph H., Sr., J. H. Reynolds & Associates
191. Reynolds, Susan, E., J. H. Reynolds & Associates
192. Rinfret, Dr. Pierre A., Rinfret-Boston Associates, New York, N.Y.

193. Robbins, Paul H., National Society of Professional Engineers
194. Robinson, R. W., R. W. Robinson & Associates, Co.
195. Rockwell, A. G., M.D.
196. Root, Charles D., Jr., Towers, Perrin, Forster & Crosby, Inc.
197. Rose, Kenneth R., Aid Associates, Inc.
198. Rosen, Irving, National Society of Public Accountants
199. Ross, Stanford G., Caplin & Drysdale
200. Sacher, Samuel M., Employers Planning Corp. of America
201. Sachs, Dr. J. M.
202. Sanden, B. Kenneth, Price Waterhouse & Co.
203. Saporito, Louis A., D.D.S., American Dental Association
204. Savage, Carroll, Ivins, Phillips & Baker
205. Savitz, Samuel J., American Society of Pension Actuaries, Solaman G. Lippman, counsel
206. Scherer, Robert A., D.D.S.
207. Schirra, William A., Financial Futures, Inc.
208. Schug, Otto F., Indiana State Bar Association
209. Seaman, R. V., American Hospital Corp.
210. Searcy, James, St. Joseph Valley Bank
211. Seattle National Bank
212. Seibert, Fred E., Bank of America, The American Bankers Association
213. Sellers, Wallace O., Merrill, Lynch, Pierce, Fenner & Smith, Inc.
214. Sewell, Julian D., National Society of Public Accountants
215. Shadur, Robert C., Shadur, LaVine & Associates
216. Shaeffer, Charles W., T. Rowe Price Associates, Inc.
217. Shambaugh, George E., Jr., M.D.
218. Sherman, I. J., Jr., M.D.
219. Simonetti, Gilbert, Jr., American Institute of Certified Public Accountants
220. Skinner, Robert G., American Institute of Certified Public Accountants
221. Smith, Carl, Jr., Michigan State Bar

222. Smith, Quentin I., Jr., Towers, Perrin, Forster & Crosby
223. Smithson, Lowell, Esq., Spencer, Fane, Britt & Browne
224. Snell, Willis B., Sutherland, Asbill & Brennan
225. Steider, Robert E., D.O.
226. Steiner, William K., F.S.A., the Zischke Organization, Inc.
227. Stevens, William K., First National Bank of Chicago
228. Stickse, J. C., Employee Plans Management Co.
229. Sullivan, Frank, Frank Sullivan Associates
230. Summa, D. J., Arthur Young & Co.
231. Swartz, Harold T., Coopers & Lybrand
232. Swick, George B., American Academy of Actuaries; George B. Buck Consulting Actuaries, Inc.
233. Tarver, Norman H., Equity Market Research
234. Thielbar, Henry B., Member of the Board of Governors of the Investment Counsel Association of America
235. Tolley, Russell M., National Association of Professional Administrators
236. Ture, Dr. Norman B.
237. United States Savings & Loan League
238. Upson, Lauren, California Bankers Association Committee on employee benefit trusts
239. Vines, Johnnie R., Luffey, Little & Co.
240. Vogel, Eugene L., Association of the Bar of the City of New York
241. Wailes, Mary G., California State Bar
242. Weber, Henry J., Stone, Young & Co.
243. Weber, Philip H., Weber Financial, Inc.
244. Weiss, Stephen P., Fox, Rothschild, O'Brien & Frankel
245. Wharton, Dean W., Financial Planning Associates
246. Whisenand, Fred E., McIntee & Whisenand
247. Wille, Frank, Superintendent of Banks of the State of New York
248. Winger, Ralph O., New York State Bar Association
249. Woodbury, Wallace R., Woodbury, Wunderli & Sorensen
250. Worthy, K. Martin, American Bar Association
251. Wyloge, Elliott I., M.D.

252. York, E. Malcom, Paul Inman Associates, Inc.
253. Young, Thomas, Stone, Young & Co.
254. Zerkle, Thomas E., Professional Management Associates, Inc.
255. Zink, Philip G., Jr., Pennsylvania Institute of Certified Public Accountants

Representatives of Employers

1. Adair, Doyle, Aber Co., Inc.
2. Adamy, Clarence G., National Association of Food Chains
3. Adduci, V. J., Electronic Industries Association
4. Aders, Robert A., Kroger Co.
5. Air Line Pilots Association International
6. Air Transport Association
7. Albright, Robert A., National Association of Manufacturers
8. Allen, George, Baldwin-Lima-Hamilton, Philadelphia, Pa.
9. Ambrogi, William P., Witmoyer Laboratories, Inc.
10. American Nurses' Association
11. American Telephone & Telegraph Co.
12. American Textile Manufacturers Institute
13. Ammond, Harold J., Political Action Committee for Engineers and Scientists
14. Ancypowic, James, P. Ballantine & Sons
15. Anderson, Kenneth G., Celanese Corp.
16. Anspach, Herbert K., Whirlpool Corp.
17. Associated Builders and Contractors, Inc.
18. Associated General Contractors of America, Inc.
19. Association of American Railroads
20. Auer, David L., Wyo-Ben Products, Inc.
21. B. F. Goodrich Co.
22. Backe, Richard, Institute of Electrical & Electronics Engineers
23. Bagge, Carl E., National Coal Association
24. Barnes, Earle B., Dow Chemical

25. Barnes, William H., International Home Furnishings Representatives Association
26. Baskin, Charles G., Golf Course Superintendents Association of America
27. Bauer, L. R., Allis-Chalmers Corp.
28. Baynes, R. C., Revere Copper & Brass, Inc.
29. Behrens, Richard J., Zenith Radio Distributing Corp.
30. Bell, William C., Bill Bell, Inc.
31. Bergquist, Don S., Lincoln (Nebr.) Equipment Co.
32. Bertrand, C. E., Reading Co.
33. Biaggini, B. F., Southern Pacific Co.
34. Bigelow, K. K., Martin Marietta Corp.
35. Bilger, Raymond P., Sears, Roebuck & Co.
36. Binns, James H., Armstrong Cork Co.
37. Birdsong, Fred, Blue Bell, Inc.
38. Bittenbender, R. C., Container Corp. of America
39. Blair, William, Ingram-Richardson Manufacturing Co.
40. Blaker, A.H., The Boeing Co.
41. Bland, Willard, Corporate Benefits of Genesco, Inc.
42. Blomquist, A. T., Rohm & Haas Tennessee, Inc.
43. Boekenheide, Russell W., Kendall Co.
44. Boise Cascade Corp.
45. Bradshaw, William J., Corning Glass Works
46. Brankin, Edward, Scovill Manufacturing Co.
47. Bret, William N., Jr., A. S. Hansen, Inc.
48. Bruton, Frank X., Lima-Hamilton
49. Buckley, Robert J., Allegheny Ludlum Industries, Inc.
50. Burns, William G., American Telephone & Telegraph Co.
51. Butler, J. Godfrey, D.C. Transit System, Inc.
52. Cahill, Joseph, Salesmen's Committee, Inc.
53. Cairns, Robert W., American Chemical Society
54. Caldwell, Robert J., California Products Corp.
55. Cameron, James, Winn-Dixie Stores, Inc.
56. Campbell, Alfred, Baldwin-Lima-Hamilton
57. Chrstrup, G. K., Xerox Corp.
58. Clark, Albert, American Zinc Co.
59. Clark, Howard, Selmer Division, Magnavox Corp.
60. Cole, R. B., E. I. du Pont de Nemours & Co.

61. Cole, Samuel, Benson Manufacturing Co.
62. Columbia Gas System Service Corp.
63. Compton, H. W., National Cash Register Co.
64. Condon, Justin J., Rexnord, Inc.
65. Congleton, Ivan, Associated Oregon Industries
66. Cort, S. S., Bethlehem Steel Corp.
67. Courtney, Edward, Baltimore Building & Construction Trades
68. Crane, Robert D., Native American Economic Development Corp.
69. Crane, W. J., Uniroyal, Inc.
70. Crawford, W. Donham, Edison Electric Institute
71. Croft, Edward S., Jr., Robinson-Humphrey Co., Inc.
72. Crook, Marcus, Benson Manufacturing Co.
73. Crump, Frank, Columbus Malleable Inc.
74. Cummings, Frankin, American Society of Civil Engineers
75. Cummings, R. W., Industrial Fabricating Corp.
76. Curran, R. M., Rochester Telephone Corp.
77. Darrow, John F., American Paper Institute
78. Daume, W. B., Monsanto Co.
79. Davis, Donald W., Stanley Works
80. Davis, Ovid, Coca-Cola Co.
81. Deal, G. L., Timken Co.
82. Dee, Joseph A., Brooks Cameras, Inc.
83. Dempsey, Paul F., Lima-Hamilton
84. Denny, Charles R., RCA, Inc.
85. Dewey, W. F., Blue Bell, Inc.
86. Dillsaver, R. D., Cities Service Co.
87. Ditzel, J. E., TV Travel, Inc.
88. Dixon, G. E., Blue Bell, Inc.
89. Donahue, Gerald A., Associated Industries of New York State, Inc.
90. Doss, Edward W., Southern Resin & Chemical Co.
91. Doyle, Paul K., Union Oil Co. of California
92. Doyle, Robert, National Society of Professional Engineers
93. Dunnigan, Frank J., Prentice-Hall, Inc.

94. Dwyer, Gilbert E., Kennecott Copper Corp.
95. Eager, David, Gerber C., Kaiser Industries
96. Eckermann, Gerald C., Kaiser Industries
97. Edmonston, C. H., Riegel Textile Corp.
98. Edney, Fred R., Reynolds Metals Co.
99. Ehrle, Raymond A., Teledyne Economic Development Co.
100. Elder, Harmon L., Southern States Industrial Council
101. Elliott, A. B., TVE Sale, Inc.
102. English, Wayne G., Hallmark Cards, Inc.
103. Evans, W. Frank, Red Kap Industries
104. Ewell, James M., Procter & Gamble Co.
105. Eyer, Elmer, CTS Corp.
106. Fallon, Walter A., Eastman Kodak Co.
107. Farrar, Claude, American Textile Manufacturers Institute, Inc.
108. Federated Department Stores, Inc.
109. Fenzi, Warren E., Phelps Dodge Corp.
110. Ferebee, S. Scott, Jr., American Institute of Architects
111. Fernstrum, Richard F., MP Pumps, Inc.
112. Flanagan, Eugene J. T., Philip Morris, Inc.
113. Fletcher, N. Herndon, Uniroyal, Inc.
114. Foltz, Edwin J., Campbell Soup Co.
115. Forbes, E. C., Worthington Corp.
116. Forster, Homer W., PFP Corp.
117. Fosner, S. Harvey, Roosevelt Raceway
118. Fox, Arthur L., II, Professional Drivers Council for Safety and Health
119. Fox, Lester, Studebaker Worthington Corp.
120. Franklin, W. H., Caterpillar Tractor Co.
121. French, John A., Carrier Corp.
122. Frisbee, Don C., Pacific Power & Light Co.
123. Fuqua, Benh H., Florida Power & Light Co.
124. Furlong, Russell, Dealers Advisory Corp.
125. Furman, M. D., ATO Inc.
126. Gassett, James, Benson Manufacturing Co.
127. Gauss, J. H., General Electric Co.
128. Gebbie, W. G., DMG Co., Inc.
129. Gerstenberg, R. C., General Motors Corp.

130. Gibbons, C. Thomas, Horn & Hardart Baking Co.
131. Giesecke, Raymond H., McGraw-Edison & Co.
132. Glick, M. H., Caterpillar Tractor Co.
133. Gocke, Robert E., Greyhound Corp.
134. Gojmerac, John, Haws Refractories Co.
135. Gordon, Thurl, Bastian-Morley Corp.
136. Gore, Philip Larner, Security Storage Co. of Washington, D.C.
137. Gray, Harry J., United Aircraft Corp.
138. Greenberg, Maurice R., American International Group, Inc.
139. Greene, W. A., Barber-Greene Co.
140. Gregory, V. L., Rohm & Haas Co.
141. Griffin, W. L. Hadley, Brown Group, Inc.
142. Grimes, Leon, Horn & Hardart Baking Co.
143. Grout, Richard A., Fruehauf Corp.
144. Grunewald, R. J., Morton-Norwich Products, Inc.
145. Gusman, Samuel, Warren-Teed Pharmaceuticals
146. Guttoff, Reuben, General Electric Co.
147. Gwartney, Michael, Employee Benefits for Boise Cascade Corp.
148. Hall, Jim, Woodward Governor Co.
149. Halliwell, Paul, Babb, Inc.
150. Hallock, Edward C., Construction Specialties, Inc.
151. Halton, Jr., Ted, Halton Tractor Co.
152. Hardy, Eugene J., National Association of Manufacturers
153. Harr, Karl G., Jr., Aerospace Industries Association of America, Inc.
154. Harris, Varnie, Horn & Hardart Baking Co.
155. Harrison, William, Benson Manufacturing Co.
156. Hartfelder, Herbert E., Southland Corp.
157. Haupt, J. Dudley, St. Regis Paper Co.
158. Hawkes, Sidney G., Mead Corp.
159. Hayes, J.D., Hercules, Inc.
160. Hedrick, Frank E., Beech Aircraft Corp.
161. Henkel, Arnold D., Henkel-Swanson Co.
162. Henson, Norwood J., Horn & Hardart Baking Co.
163. Henze, Robert E., Dr., American Chemical Society

164. Heyke, John E., Jr., Brooklyn Union Gas Co.
165. Hillman, Barbara, American Zinc Co.
166. Hirschberg, T. V., Sperry Rand Corp.
167. Hoddick, Frank, Michigan Bell Telephone Co.
168. Hoey, Norman, P. Ballantine & Sons
169. Honkamp, Richard C., Hydrite Chemical Co.
170. Hornbuckle, Charles T., City Coach Lines, Inc.
171. Horney, W. G., Owens-Illinois
172. Houck, Kenneth L., Bethlehem Steel Corp.
173. Howarth, Thomas, United States Independent Telephone Association
174. Hudock, Arthur W., Scott Paper Co.
175. Hudson, Jay S., ESB, Inc.
176. Huselton, B. C., Armco Steel Corp.
177. Hutchinson, Robert, Fruehauf Corp.
178. Jacobs, John, Schaefer Corp.
179. Janos, Alfred, Nadco, Inc.
180. Jarman, F. M., Genesco, Inc.
181. Jensen, Robert E., IU International
182. Johnson, E. W., All Steel, Inc.
183. Jones, Frank P., Jr., Aluminum Co. of America, Inc.
184. Jones, Horace C., Burlington Industries, Inc.
185. Jones, Kenneth, Horn & Hardart Baking Co.
186. Jones, Paul A., Kimberly-Clark Corp.
187. Jones, Reginald H., General Electric Co.
188. Jordan, William B., Kraftco Corp.
189. Kahgan, Jack J., Kahgan Sales Corp.
190. Kaiser, Paul R., Tasty Baking Co.
191. Keegan, J. R., Armstrong Rubber Co.
192. Keldon, E. J., Chicago Bridge & Iron Co.
193. Kellogg, Martin N., Tennant Co.
194. Kenney, W. W., Northern Natural Gas Co.
195. Kent, G. P., Western Union
196. King, Stanley L., Jr., American Telephone & Telegraph Co.
197. Kinney, Eugene M., Zenith Radio Corp.
198. Kinney, Samuel M., Jr., Union Camp Corp.
199. Kinsey, Kenneth, Anaconda Brass
200. Kinzey, Jane, Taulman Co.

201. Kirby, W. J., FMC Corp.
202. Knapp, G. W., General Electric Co.
203. Kneen, H. P., Jr., International Business Machines Corp.
204. Knepper, Meredith, Gar Wood Division
205. Knoell, W. H., Cyclops Corp.
206. Kohler, Paul W., Howard Swink Advertising
207. Korzenik, Harold, United Knitwear Manufacturers League
208. Kostrab, J. A., International Telephone & Telegraph Co.
209. Krappman, A. J., Jr., O. K. Earl Corp.
210. Kropf, Robert G., Whittaker Corp.
211. Krzykoski, Walter, Uniroyal
212. Kurshan, Herbert S., Halmode Apparel, Inc.
213. Kwek, Mrs. Iris, Anaconda Co.
214. Lapoe, W. G., Safeco Insurance Co.
215. Largay, Vincent, Anchor Fasteners, Inc.
216. Larson, John, Benson Manufacturing Co.
217. Law, William J., Maverick, Division of Blue Bell, Inc.
218. Lawrence, George H., American Gas Association
219. Laxson, R. W., Honeywell Inc.
220. Layton, Joseph R., Sun Oil Co.
221. Lazarus, Ralph, Federated Department Stores, Inc.
222. Lefler, Helen C., S. S. Kresge Co.
223. LeMatty, R.S., Blue Bell, Inc.
224. Levinthal, Robert M., Council of Engineers and Scientists Organizations
225. Liebensson, Herbert, National Small Business Association
226. Lincoln, John Sidney, Baldwin-Lima-Hamilton
227. Lippman, M. John, CPI Group, Inc.
228. Lippman, S. G., Political Action Committee for Engineers & Scientists
229. Litchko, Thomas, Baldwin-Lima-Hamilton
230. Little, Stanley M., Jr., Boeing Co.
231. Locke, Edwin A., Jr., American Paper Institute
232. Logsdon, Donald, Gar Wood Division
233. Lowe, Ethel, Horn & Hardart Baking Co.

234. Lovett, James F., Westinghouse Electric Corp.
235. Lumb, H. C., National Association of Manufacturers
236. Lutz, R. F., Lady Wrangler
237. Lyons, Raymond M., Fruehauf Corp.
238. Macbeth, William E., Macbeth Hardwood Co.
239. MacDonald, Robert C., Young Radiator Co.
240. MacMillan, Clifford M., Studebaker Corp.
241. Malone, William R., General Telephone & Electronics Corp.
242. Mann, Forbes, LTV Corp.
243. Mann, L. K., Blue Bell, Inc.
244. Mannion, James P., Jr., Falstaff Brewing Corp.
245. Mantler, Marshall J., Bureau of Salesmen's National Associations
246. March, C. R., Harsco Corp.
247. Margly, V. R., Imperial-Eastman Corp.
248. Markley, R. W., Jr., Ford Motor Co.
249. Martin, John H., Litton Industries, Inc.
250. Marvin, R. M., Precision Castparts Corp.
251. Matthews, Bruce, Montgomery Ward
252. Matthews, Bruce, National Retail Merchants Association
253. Maxey, Lon J., General Sign Co.
254. Maynard, J. H., Carnation Co.
255. McCarthy, Edmund, Mallinckrodt Chemical Works
256. McClellan, C. E., Jewel Cos., Inc.
257. McCormick, Deane E., Jr., Litton Industries, Inc.
258. McDermott, Robert F., United Services Automobile Association
259. McGovern, John B., Nabisco, Inc.
260. McGrath, John C., P. Ballantine & Sons
261. McKinley, Jack, The Prototype Planner
262. McLachlan, Bert H., Nichols Industries
263. McLean, John G., Continental Oil Co.
264. McMaster, John, Baldwin-Lima-Hamilton
265. McMeekan, Dorothy B., Riverhead (N.Y.), Supreme Court Law Library
266. Meese, William G., Detroit Edison
267. Mellon, E. R., Washington Gas Light Co.

268. Mendlein, James C., Griscom-Russell
269. Meyer, William E., Broadway Hale Stores
270. Miles Laboratories, Inc., Washington, D.C.
271. Miller, Richard B., Bankers Magazine
272. Mills, Daniel Quinn, Construction Industry Stabilization Committee
273. Mitchell, H. V., Gulf States Paper Corp.
274. Mitchell, John C., Rohm & Haas
275. Mobil Oil Corp.
276. Mooney, J.B., Mooney Chemicals, Inc.
277. Moore, John, Employer Relations, Scovill Manufacturing Co.
278. Moore, R. P., Liggett & Myers, Inc.
279. Morgan, C. R., National Gypsum Co.
280. Morgan, George B., Texas Metal Works, Inc.
281. Morris, E.A., Blue Bell, Inc.
282. Mottin, Walter, American Zinc Co.
283. Mueller, E. C., Sauquoit Fibers Co.
284. Munroe, Douglas, Anaconda Co.
285. Murray, Kenneth W., General Electric Co.
286. Myers, Charles F., Jr., Burlington Industries, Inc.
287. Naglieri, Thomas, White Motor Co.
288. National Association for Professional Associations & Corporations
289. National Automobile Dealers Association
290. Naumann, William E., M. M. Sundt Construction Co.
291. Nethercott, J. W., Proctor & Gamble Co.
292. Neufeld, Don H., Copolymer Rubber & Chemical Corp.
293. Newman, L. T., Grede Foundries, Inc.
294. Niagara Mohawk Power Corp.
295. Niedwieck, Joseph, White Motor Co.
296. Nyhart, Eldon H., Howard E. Nyhart Co.
297. O'Connor, Lawrence L., Sears, Roebuck & Co.
298. Oppenheimer, Jerry L., Brunswick Corp.
299. Owen, Ray, Owen-News Direction
300. Owens, Phillip R., National Society of Professional Engineers
301. Page, George B., Page Milk Co.

302. Palmer, George A., Jr., Joseph Horne Co.
303. Palmer, Gorden, Minneapolis Moline Co.
304. Pasternak, Harry J., Park Electrochemical Corp.
305. Pellett, Thomas R., Pet, Inc.
306. Perkins, J. Carter, Shell Oil Co.
307. Perkins, Kenneth, Simpson Lee Paper Co.
308. Phillips, Herbert, White Motor Co.
309. Pimenta, John, Multinational Corporate Development, Inc.
310. Pines, Howard, P. Ballantine & Sons
311. Pirtle, John C., General Electric Co.
312. Poe, Foster D., Automatic Springs Products Corp.
313. Pope, N., Revere Copper & Brass, Inc.
314. Porter, Henry H., Jr., General Mills
315. Potash, Arnold, P. Ballantine & Sons
316. Powers, O. E., Turbodyne Corp.
317. Priestley, G. G., Geoffrey Imports, Inc.
318. Prince, Gregory S., Association of American Railroads
319. Provost, D. E., Stearns-Roger Corp.
320. Quigley, Stephen T., American Chemical Society
321. Raleigh, T. J., Dresser Industries, Inc.
322. Rasmussen, Edward, Minneapolis Moline Co.
323. Rayner, William W., MacMillan, Inc.
324. Raytheon Co., Lexington, Mass.
325. Reeve, William L., Chemplex Co.
326. Reilly, Peter C., Reilly Tar & Chemical Corp.
327. Remmers, Edward G., American Institute of Chemical Engineers
328. Richardson, H. B., National Gypsum Co.
329. Rietz, Robert A., A. O. Smith Corp.
330. Riley, R. A., Firestone Tire & Rubber Co.
331. Robbins, Paul H., National Society of Professional Engineers
332. Robinson, William, Columbus Malleable, Inc.
333. Robison, H. LeRoy, Gar Wood Division
334. Roby, R. K., American Cyanamid Co.
335. Rodriguez, Roy, American Zinc Co.
336. Roloff, C. A., Pillar Corp.
337. Rooney, Francis C., Jr., Melville Shoe Corp.

338. Rosamilia, Arthur, P. Ballantine & Sons.
339. Rosinki, Stephen, Baldwin-Lima-Hamilton
340. Rosinski, S. J., Rohr Industries, Inc.
341. Rossoff, Arthur L., Amer. Inst. of Aero. and
Astronautics
342. Runyan, W. P., Top Value Ent., Inc.
343. Ryder, James A., Ryder System, Inc.
344. Sagan, John, Ford Motor Co.
345. Sagendorf, Raymond, P. Ballantine & Sons.
346. Salmen, Edward J., Dominion Electric Co.
347. Sauer, E. T., Rohm & Haas Kentucky, Inc.
348. Sawyer, John, Universal Cyclops Steel Corp.
349. Schaltenbrand, L. L., Alton & Southern Railway Co.
350. Schauer, Paul D., Gates Rubber Co.
351. Schindel, Philip W., Association of General Merchan-
dise Chains
352. Schoke, James A., Voltarc Tubes, Inc.
353. Schroeder, Harold H., American Telephone &
Telegraph Co.
354. Schultz, John H., J. M. Schultz Seed Co.
355. Sealy, Albert H., Mead Corp.
356. Semple, Cecil S., General Electric Co.
357. Severance, H. L., Standard Oil Co. of California
358. Shaffer, W. F., Oscar Mayer & Co.
359. Shand, Dominick, Minneapolis Moline Co.
360. Sheehan, Jack, United Steelworkers of America, ac-
companied by Bernard Greenberg, Pittsburgh Depart-
ment of Pensions and Insurance, and Murray Latimer,
Consultant
361. Shepard, B. G., Rohm & Haas
362. Shershin, Michael, Scovill Manufacturing Co.
363. Shidler, Alan B., Universal Oil Products Co.
364. Sielaff, Max, Green Bay Packaging, Inc.
365. Siena, John, W. R. Grace & Co.
366. Simons, John F., Continental Can Co., Inc.
367. Smith, C. H., Jr., Sifco Industries, Inc.
368. Smith, Clay, American Zinc Co.
369. Smith, Dale, Plumbing and Pipefitting Industry
370. Smith, Louis, Minneapolis Moline Co.

371. Smith, R. J., Smith Chevrolet Center
372. Sorenson, Allen H., S. H. Kress & Co.
373. Southern States Industrial Council
374. Spahn, William H., New York Hotel Trades Council
and Hotel Association of New York City, Inc.
375. Starbuck, Phil, Singer Controls Co. of America
376. Steckel, R. G., Powers Regulator Co.
377. Steil, G. E., Harrington & King Perforating Co., Inc.
378. Stern, E. J., Seaboard Industries, Inc.
379. Stevenson, A. Robert, S. S. Kresge Co.
380. Stewart, Edith, Horn & Hardart Baking Co.
381. Stinson, George A., National Steel Corp.
382. Stodolka, Joseph, Minneapolis Moline Co.
383. Stone, Dale D., Sun Oil Co.
384. Stoops, Wilbur C., Dominion Electric Co.
385. Strichartz, Morris Harvey, American Radio Association
386. Strichman, George A., Colt Industries, Inc.
387. Suppes, R. W., Ideal Basic Industries, Inc.
388. Talbot, Uber, Baldwin-Lima-Hamilton
389. Taylor, Walter C., Jr., Eli Lilly Co.
390. Tharpe, Jack M., Standard Oil Co. (Indiana)
391. The Associated General Contractors of America
392. Thomas, Mortimer B., R. G. Corp.
393. Thomas, Peter, Huck Manufacturing Co.
394. Thomas, W. R., Phillips Petroleum Co.
395. Thompson, Craig, White Motor Co.
396. Thompson, John P., Southland Corp.
397. Tillinghast & Co.
398. Timney, Gilbert, Griscom-Russell
399. Torstenson, John A., Fastner Corp.
400. Tritschler, James R., White Motor Co.
401. Trout, James, American Zinc Co.
402. Troy, Thomas P., Combustion Engineering, Inc.
403. Turchan, T. P., American Cyanamid Co.
404. Twinney, Marc M., Jr., Ford Motor Co.
405. Valenty, Thomas G., Onan Corp.
406. Valko, N. G., Consolidated Biomedical Laboratories
407. Van Vliet, J. W., Great Atlantic & Pacific Tea Co., Inc.
408. Vermillion, Lee, Benson Manufacturing Co.

409. Vetter, E. O., Texas Instruments, Inc.
410. Walker Richard M., Walker Metallurgical Corp.
411. Wallace, Gordon, the Engineering Societies
412. Ware, Robert C., National Small Business Association
413. Warren, Paul G., Gunthorp-Warren Printing Co.
414. Waters, R., Reader's Digest Association
415. Wearly, W. L., Ingersoll-Rand Co.
416. Webb, Charles B., Sr., Alabama Metal Industries Corp.
417. Whaley, W. B., Graybar Electric Co., Inc.
418. Wheeler, William, Gar Wood Division
419. Whitaker, Jack F., Whitaker Cable Co.
420. Whitbread, Bernard J., Marsellus Casket Co.
421. Whitehead, D. F., Standard Register Co.
422. Whyte, William G., United States Steel Corp.
423. Wickman, Harvey, Minneapolis Moline Co.
424. Williams, James R., National Retail Merchants Association
425. Williford, Frederick L., National Federation of Independent Business
426. Willis, E. S., General Electric Co.
427. Wilson, John A., Diamond Shamrock Corp.
428. Wisely, Harold M., Eli Lilly & Co.
429. Withall, William E., Miner Enterprises, Inc.
430. Wood, Arthur, Sears, Roebuck and Co.
431. Wood, Curtis L., Rocky Mountain Motor Tariff Bureau.
432. Woolley, Jack, PPG Industries, Inc.
433. Worobetz, Joseph, P. Ballantine & Sons
434. Wright, Orrin B., Editorial Director, Mellus Newspapers
435. Young, Nelson J., PM Florida East Coast, Inc.
436. Zimmerman, Robert G., F. W. Woolworth Co.

Union Representatives

1. Abel, I. W., United Steelworkers of America
2. Bailey, James F., United Brotherhood of Carpenters & Joiners of America

3. Bainbridge, Richard, United Steelworkers of America
4. Beidler, Jack, United Auto Workers of America
5. Beirne, Joseph A., Communications Workers of America
6. Belardi, Joseph, Local Joint Board of Culinary Workers, Bartenders & Hotel, Motel, & Club Service Workers Union
7. Benzoni, Pete, United Steel Workers
8. Bernstein, Meyer, United Mine Workers of America
9. Biemiller, Andrew J., American Federation of Labor and Congress of Industrial Organizations; Department of Legislation, American Federation of Labor-Congress of Industrial Organizations
10. Bonadio, Frank, Building & Construction Trades Department (AFL-CIO)
11. Bond, Tony, District 15, United Steelworkers of America
12. Boyle, Thomas E., International Chemical Workers Union
13. Bricklayers, Masons & Plasterers International Union of America
14. Building & Construction Trades Department (AFL-CIO)
15. Burkholder, Thomas, Oil, Chemical and Atomic Workers International Union
16. Camarota, Luke, Local 478
17. Campbell, Kenneth, United Steelworkers of America
18. Cantor, Arnold, Research Department, American Federation of Labor-Congress of Industrial Organizations
19. Carlough, Edward J., Sheet Metal Workers Int'l Ass'n, AFL-CIO
20. Casstevens, Bill, United Auto Workers of America
21. Communications Workers of America
22. Cope, George, Local 1843, United Steelworkers
23. Crone, Philip, St. Joseph County UAW-CAP, council chairman
24. Curtin, Thomas, United Auto Workers
25. Daniel, Ed, Gar Wood Local 250
26. Davis, Thomas A., Jockeys' Guild, Inc.

27. Diamond, Louis H., Mechanical Contractors Association of America, Inc.
28. DiStefano, Joseph, International Union of District 50, ATW
29. Donoian, Henry A., Allied Industrial Workers of America
30. Edwards, Nelson Jack, United Auto Workers of America
31. Ehman, William H., United Steelworkers of America
32. Epstein, Albert S., International Association of Machinists & Aerospace Workers, AFL-CIO
33. Fagan, Thomas L., Local Union 249, General Teamsters, Chauffeurs & Helpers
34. Finkelstein, Murray, Retail Shoe Employees' Union, Local 1268
35. Fitzgerald, Albert J., United Electrical, Radio, & Machine Workers of America
36. Fox, H. Lawrence, International Brotherhood of Electrical Workers, Local No. 8
37. Georgine, Robert A., Building & Construction Trades Department (AFL-CIO)
38. Gertner, Mare, International Brotherhood of Electrical Workers, Local No. 8
39. Granite Cutters' International Association of America
40. Greathouse, Pat, United Auto Workers
41. Greenberg, Bernard, United Steelworkers of America
42. Griffin, Thomas, United Auto Workers
43. Hall, Paul, Seafarers International Union of North America (AFL-CIO)
44. Hammerle, Don, Local 1272, United Steelworkers of America
45. Hampson, Vivian, UAW Local 985
46. Holly, Milton R., Huron Forge Division, Local 174
47. Hubbard, Buckley, Jr., NALU Federal Law and Legislation Committee
48. Huge, Harry, Esq., Arnold & Porter, United Mine Workers of America

49. International Association of Heat & Frost Insulators & Asbestos Workers
50. International Association of Marble, Slate, & Stone Polishers, Rubbers & Sawyers, Tile Helpers & Finishers, Marble Setters Helpers, Marble & Mosaic & Terrazzo Workers Helpers
51. International Brotherhood of Boilermakers, Iron Shipbuilders, Blacksmiths, Forgers & Helpers
52. International Brotherhood of Painters & Allied Trades
53. International Union of Elevator Constructors
54. International Union of Operating Engineers
55. Jeffrey, Francis, international representative of the Auto Workers
56. Jennings, Paul, International Union of Electrical, Radio and Machine Workers
57. Johnson, Gerald, Local 107
58. Johnson, Lewis J., Arkansas Farmers Union
59. Johnston, Edward R., International Union of Electrical, Radio & Machine Workers, AFL-CIO
60. Johnston, Robert, UAW, region 4, UAW Illinois CAP Council
61. Jorgenson, Jack, Teamsters Joint Council 32
62. Kabat, Emil, United Steelworkers of America
63. Keenan, Joseph D., International Brotherhood of Electrical Workers
64. Knecht, Louis, Communication Workers of America, AFL-CIO
65. Koban, Andrew J., United Steelworkers of America
66. Laborers' International Union of North America
67. Lengyel, Robert, American Radio Association, AFL-CIO
68. Lester, Harry E., Labor Education Coordinator, District 29, United Steelworkers of America
69. Lyons, John H., International Association of Bridge, Structural & Ornamental Iron Workers
70. Mahlum, Charles, Association of Western Pulp and Paper Workers; Weyerhaeuser Council, Association of Western Pulp & Paper Workers

71. Majerus, Ray, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW)
72. Marshall, John G., Teamsters Union, AFL-CIO
73. Martin, James B., New York City District Council of Carpenters, General Contractors Ass'n
74. Martinez, Philip, Teamsters Ranks United to Help Chicago
75. Martinez, Thomas, National Maritime Union
76. Marturo, Frank D., International Chemical Workers Union
77. Mazziotta, Thomas, New York City District Council of Carpenters
78. McCarrell, John M., President of Local 544, United Auto Workers of America
79. McCuddy, Edwin F., United Automobile, Aerospace and Agricultural Implement Workers of America (UAW), Local 819
80. Moore, Jack F., International Brotherhood of Electrical Workers, Local 453
81. Morgan, John, Connecticut Union of Telephone Workers
82. Nestor, John, local 12-B, Bakery and Confectionery Workers
83. O'Barto, Andrew, Local Union 12037 of District 50
84. Operative Plasterers' & Cement Masons' International Association
85. Phillips, Wendell, Bay Area Joint Council of Teamsters
86. Pillard, Charles H., International Brotherhood of Electrical Workers
87. Poulin, Claude, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW)
88. Raftery, S. Frank, International Brotherhood of Painters & Allied Trades, AFL-CIO
89. Rainero, David, International Union of the United Brewery Workers of America, Locals 22, 67, and 144
90. Rice, Edward, Teamsters Joint Council 64
91. Roe, David, Minnesota AFL-CIO
92. Rolnick, Louis, International Ladies' Garment Workers' Union, AFL-CIO

93. Santaguida, Frank, United Auto Workers
94. Schaefer, Marcellus, American Postal Workers Union
95. Schmitt, John W., Wisconsin State AFL-CIO
96. Seidman, Bert, AFL-CIO; Department of Social Security, American Federation of Labor-Congress of Industrial Organizations
97. Shapiro, Leon, National Marine Engineers Beneficial Association, AFL-CIO
98. Sheehan, John J., United Steelworkers of America
99. Sheet Metal Workers' International Association
100. Sheinkman, Jacob, Amalgamated Clothing Workers
101. Shy, Arthur, Greathouse, Agricultural Implement Department of the Auto Workers
102. Sipser, I. Philip, Brewery Workers Joint Local Executive Board
103. Smith, Roger D., Jockeys' Guild, Inc.
104. Solenberger, Willard, United Automobile, Aerospace, & Agricultural Implement Workers of America (UAW), AFL-CIO
105. Sorenson, Murray, Hopkins Office Workers Local No. 337
106. Stenson, Mrs. Joseph, United Mine Workers
107. Thomas, J. C., Member of the Chicago Truckdrivers Union, Independent
108. United Association of Journeymen & Apprentices of the Plumbing & Pipe Fitting Industry of the United States and Canada
109. United Brotherhood of Carpenters & Joiners of America
110. United Slate, Tile & Composition Roofers, Damp & Waterproof Workers' Association
111. Vaagen, Martin, Independent Radionic Workers of America
112. Walstrom, Emmanuel, Local 1147
113. Wood, Wire & Metal Lathers' International Union
114. Woodcock, Leonard, United Automobile, Aerospace & Agricultural Implement Workers of America (UAW)
115. Wrenn, Donald, Greater Waterbury Labor Council, Connecticut State Labor Council, AFL-CIO

116. Wurf, Jerry, American Federation of State, County & Municipal Employees, AFL-CIO

Representatives of Academic Institutions

1. Bernstein, Merton, Ohio State University Law School
2. Bittker, Prof. Boris I., Yale University
3. Bodkin, Laurence G., Jr., Taxation With Representation
4. Brannon, Dr. Gerard M., Georgetown University
5. Brazer, Prof. Harvey E., University of Michigan
6. Bressler, Barry, associate professor of economics, Richmond College, City University of New York, Taxation With Representation
7. Casner, Prof. A. James, Harvard Law School
8. Davenport, Prof. Charles, Law School, University of California at Davis
9. David, Prof. Martin, University of Wisconsin
10. Eisner, Prof. Robert, Northwestern University
11. Filler, Stuart, Taxation With Representation, Hofstra University Law School
12. Ferguson, Karen, Public Interest Research Group
13. Halperin, Prof. Daniel, Law School, University of Pennsylvania
14. Hambrick, Prof. J. Reid, George Washington University Law School
15. Harriss, Prof. C. Lowell, Columbia University
16. Hjorth, Prof. Roland L., Law School, University of Washington
17. Ludwig, Prof. Ronald L., Washington, D.C.
18. McDaniel, Prof. Paul R., Boston College Law School
19. McGill, Prof. Dan M., University of Pennsylvania
20. Mondani, Thomas D., Connecticut Education Association
21. Musgrave, Prof. Peggy B., Northeastern University
22. Musgrave, Prof. Richard A., Harvard University
23. Myers, Jack, American Council on Education
24. Myers, Robert J., Temple University
25. Nader, Ralph, Public Interest Research Group

26. Pechman, Dr. Joseph A., Brookings Institution
27. Raff, David, director of the clinical program in employees rights at New York University School of Law
28. Reed, Carl E., Bolles School
29. Russell, James M., Research Institute of America
30. Schoepfle, Robert N., Institute of Government & Public Affairs, University of Illinois, Taxation With Representation
31. Smith, Prof. Dan Throop, Hoover Institution
32. Spann, Prof. Robert M., Virginia Polytechnic Institute and State University
33. Stobaugh, Prof. Robert B., Harvard Business School
34. Stone, Prof. Lawrence M., University of California School of Law
35. Surrey, Prof. Stanley S., Harvard Law School
36. Tennant, W. Jack, National Education Association
37. Van Houtte, Robert, National Education Association-Alaska
38. Wallich, Prof. Henry C., Yale University
39. Westfall, Prof. David, Harvard Law School
40. Winklevoss, Howard, University of Pennsylvania
41. Withers, William, Taxation With Representation, Queens College of the University of New York
42. Wright, Prof. Arthur W., University of Massachusetts

Individuals

1. Acheson, Richard M., Jr., Pacific Palisades, Cal.
2. Adams, John Q., New York, N.Y.
3. Addison, James Jr., Akron, Ohio
4. Alden, John, Klamath Falls, Or.
5. Anderson, Croil, Seattle, Wash.
6. Anderson, Keith, Arvada, Colo.
7. Antin, Michael, Beverly Hills, Cal.
8. Armer, John E., Los Angeles, Cal.
9. Arneson, J., Geneva, Ill.
10. Artis, H. C., Woodland Hills, Cal.
11. Asling, John, Annandale, Va.
12. Bail, Richard N., Boston, Mass.

13. Bailin, Leonard, New York, N.Y.
14. Baker, Walter, former employee of Essex Wire Corp.
15. Barnes, Robert L., Glen Ellyn, Ill.
16. Baroff, Sam, Philadelphia, Pa.
17. Battestilli, Ray, former employee of Packard Motor Car Co.
18. Bender, Dean, Seattle, Wash.
19. Benedetto, Karen, Dallas, Tex.
20. Berk, Lawrence I., New York, N.Y.
21. Berry, Forrest, San Bernardino, Cal.
22. Bimson, P. L., New York, N.Y.
23. Bladstrom, Walter C., New York, N.Y.
24. Bluestein, Joseph S., Birmingham, Ala.
25. Boatright, A. L., Klamath Falls, Or.
26. Bogert, Jackson, Dallas, Tex.
27. Borjas, A. A., Coral Gables, Fla.
28. Brigman, Paul, Plano, Tex.
29. Brotman, Jeffrey H., Seattle, Wash.
30. Browning, George, III, Sarasota, Fla.
31. Bullion, J. Waddy, Dallas, Tex.
32. Carr, Patrick J., New York, N.Y.
33. Christianson, Olive B., New Canaan, Conn.
34. Connell, Edward F., Jacksonville, Fla.
35. Connell, James R., Washington, D.C.
36. Cooper, Sally, Butler, Pa.
37. Cotter, H. T., Oxnard, Cal.
38. Cronquist, Neil R.
39. Cross, Theodore L., Boston, Mass.
40. Crumlett, Curtis C., Minneapolis, Minn.
41. Curley, Ruth S., Cranston, R.I.
42. Curtis, James, Seattle, Wash.
43. Dahlgren, Donald C., Seattle, Wash.
44. Daly, Mike, former employee of Gar Wood
45. Dauber, Milton A., Jenkintown, Pa.
46. Dean, Carl, formerly of Studebaker Corp.
47. Dobosiewicz, Edward, formerly of Singer Corp.
48. Dobson, John, South Bend, Ind.
49. Dorfman, Milt, Lauderhill, Fla.
50. Duane, Stephen H., Jersey City, N.J.

51. Dudeck, James R., Jacksonville, Fla.
52. Dudley, J. F., Richardson, Tex.
53. Dunbar, Edward G., Sasco, Inc.
54. Ehmann, Anthony, Phoenix, Ariz.
55. Ehrlich, William W., Merion, Pa.
56. Elder, Earle R., Clairton, Pa.
57. Elkus, Robert C., San Francisco, Cal.
58. Endsley, Carolyn E., Atlanta, Ga.
59. Erichson, William M., Cold Spring, N.Y.
60. Ernst, Marion, Mount Prospect, Ill.
61. Ferguson, E. R., Jr., Washington, D.C.
62. Ferster, Herbert, New York, N.Y.
63. Finklea, Jack G., Dallas, Tex.
64. Fischer, Richard S., Rochester, N.Y.
65. Fortenberry, W. F., Spartanburg, S.C.
66. Foster, John D.
67. Fowler, Calvin D., Cocoa, Fla.
68. Fraser, O'Hear W., Jr., Washington, D.C.
69. Gajarsa, Arthur J., Washington, D.C.
70. Garelik, David M., New York, N.Y.
71. Gaspar, August H., San Lorenzo, Cal.
72. Gibala, Edward S., Urbana, Ill.
73. Gibson, Luther E., Vallejo, Cal.
74. Gilbert, Nat, Beverly Hills, Cal.
75. Golder, Barry S., Fort Lauderdale, Fla.
76. Goldmark, John, Seattle, Wash.
77. Goldminz, Abraham Ellis, Carlsbad, N.M.
78. Gonzalez, Richard J., Houston, Tex.
79. Goodin, Kenneth E., San Francisco, Cal.
80. Goodson, Marvin, Beverly Hills, Cal.
81. Gorfinkle, Robert A., South Braintree, Mass.
82. Greeley, Alexander, New York, N.Y.
83. Greer, Mildred, Syracuse, N.Y.
84. Grooms, W. M., Columbia, S.C.
85. Grossman, Arthur I., Chicago, Ill.
86. Grover, Kenneth, New York, N.Y.
87. Haag, John A., Houston, Tex.
88. Hade, Jane, New York, N.Y.
89. Hade, Neal L., New York, N.Y.

90. Hammer, Leonard E., New York, N.Y.
91. Hanke, Peter S., Garlock, Inc.
92. Harney, Ben, Spokane, Wash.
93. Hart, Paul C., Portland, Or.
94. Hastings, Dana M., Dover, Mass.
95. Hayward, Dick, Waterbury, Conn.
96. Hellmuth, C. T., Washington, D.C.
97. Henry, Durward E., Garland, Tex.
98. Hightshoe, Mel, Tyler, Tex.
99. Hill, Gene R., Grayhill, Inc.
100. Hill, Lola, East Lansing, Mich.
101. Hill, Walker, East Lansing, Mich.
102. Holman, R. P., Chattanooga, Tenn.
103. Holmes, Mack F., Brockport, N.Y.
104. Holmes, Ted, former employee of Peerless Cement Co.
105. Hopkins, W. Dean, Cleveland, Ohio
106. Hopson, Thomas A., Durham, N.C.
107. Howard, Gordon, pensioner from the Elgin Co.
108. Hudson, Wayne D., San Francisco, Cal.
109. Iler, F. R., Greensboro, N.C.
110. Ingle, Walter B., Woodland Hills, Cal.
111. Iserson, L., Miami, Fla.
112. Jacobs, Bruce, Los Angeles, Cal.
113. Jacobs, Mary, Mount Pleasant, Pa.
114. Johnson, Harley M., Miami, Fla.
115. Jordan, Raymond E., Cranston, R.I.
116. Jordon, Ray E., Northridge, Cal.
117. Kamm, Seymour J., Clark, N.J.
118. Kamps, M. J., Arlington Heights, Ill.
119. Kazan, Avraam T., M.D.
120. Kennedy, Ron, Peavey Co.
121. King, Corley C., Dallas, Tex.
122. Kinney, Cecil C., Albuquerque, N.M.
123. Kitchell, Samuel F., Phoenix, Ariz.
124. Kleinert, James A., Croton-on-Hudson, N.Y.
125. Knox, Hubbard, New York, N.Y.
126. Kowitz, Patricia E., Palo Alto, Cal.
127. Krieger, Estelle, Chicago, Ill.
128. Krubeck, Ralph O., Lombard, Ill.

129. Krubeck, Ruth M., Lombard, Ill.
130. Kruger, John F., Seattle, Wash.
131. Kuhl, Barry M., Omaha, Neb.
132. Kulzer, Michael A., Cherry Hill, N.J.
133. Kurshan, Richard M., Roanoke, Va.
134. Lane, Robert L., Phoenix, Ariz.
135. Larson, Vincent R., Seattle, Wash.
136. Latture, William E., Greensboro, N.C.
137. Lee, Otis S., Tulsa, Okla.
138. Lerner, Macy L., Rochester, N.Y.
139. Leslie, Robert B., Seattle, Wash.
140. Leventhal, Ronald S., Atlanta, Ga.
141. Lewicki, Peter S., Seattle, Wash.
142. Little, Daniel J., Chicago, Ill.
143. Lochner, Harry W., Jr., Chicago, Ill.
144. Lubick, Donald C., Buffalo, N.Y.
145. Lubitz, Philip H., Garden City, N.Y.
146. Lurie, Alvin D., New York, N.Y.
147. Malley, Glenn, Piedmont, Cal.
148. Manch, David E., Buffalo, N.Y.
149. Mather, Charles E., Philadelphia, Pa.
150. May, Ernest N., Wilmington, Del.
151. McCrea, J. M., Pittsburgh, Pa.
152. McKinley, Jack, Kew Gardens, N.Y.
153. McLaughlin, Ruth C., Lansing, Mich.
154. McNealus, Arthur L., Franklin Square, N.Y.
155. Mead, R. W., Jr., Tampa, Fla.
156. Mears, John, New York, N.Y.
157. Meeker, A. Ross, Jr., Springfield, N.J.
158. Mesik, Eva, Berwyn, Ill.
159. Meyer, Henry V., Denver, Colo.
160. Mikkelson, Robert H., Albany, Or.
161. Miller, Elliot Ira, New York, N.Y.
162. Mills, William, former employee of American Cyanamid
163. Millsap, Russell, Woodland, Cal.
164. Mirikitani, Clifford K., Honolulu, Haw.
165. Mitzel, Kay, San Francisco, Cal.
166. Monfort, Loretta, Livermore, Cal.

167. Monson, John R., Manchester, N.H.
168. Moore, David, Salt Lake City, Utah
169. Moore, George W., III, Bloomfield Hills, Mich.
170. Moroney, William T., Phoenix, Ariz.
171. Neumann, George C., Westbury, N.Y.
172. Nichols, Guy H., Cincinnati, Ohio
173. Nyhart, Eldon H., Indianapolis, Ind.
174. O'Hara, Bernard, former Matatowac employee
175. Olds, John T., New York, N.Y.
176. Osofsky, Lillian, Miami, Fla.
177. Page, Hubert, San Diego, Cal.
178. Partin, Charles, Hurst, Tex.
179. Phillips, Nelda, Dallas, Tex.
180. Pitcher, Theresa, Lansing, Mich.
181. Rappaport, Robert, Van Nuys, Cal.
182. Ray, George E., Dallas, Tex.
183. Raymond, John F., Seattle, Wash.
184. Reade, K. D., Jr., New York, N.Y.
185. Reed, Richard C., Seattle, Wash.
186. Reedy, Harvey E., Little Rock, Ark.
187. Rhue, Robert E., Phoenix, Ariz.
188. Richards, Clyde D., Woodland Hills, Cal.
189. Richter, Emma, St. Louis, Mo.
190. Riggs, Arthur J., Dallas, Tex.
191. Riley, Emil, Bellwood, Ill.
192. Riley, Ena, Bellwood, Ill.
193. Ritsch, Malcolm E., Jr., Richmond, Va.
194. Roesser, Eugene F., Washington, D.C.
195. Rotgin, Philip N., New York, N.Y.
196. Russ, Mr. and Mrs. Bernard, Wantagh, N.Y.
197. Russell, Joe W., Dallas, Tex.
198. Safer, Louis, Jacksonville, Fla.
199. Sanger, Howard L., Palm Springs, Cal.
200. Schroeder, Shirley, Hayward, Cal.
201. Schuchert, Joseph S., Jr., Los Angeles, Cal.
202. Schwartz, Marvin, New York, N.Y.
203. Scott, Arnold D., Dedham, Mass.
204. Seidner, E. L., Chicago, Ill.
205. Sherwin, Douglas S., Ann Arbor, Mich.

206. Sikon, Casimir S., Bensenville, Ill.
207. Silver, George J., Sterling Heights, Mich.
208. Soles, J. Frank, Creve Couer, Mo.
209. Sperry, W. Anson, Mankato, Minn.
210. Spindell, Robert F., Chicago, Ill.
211. Steinman, Bernard, Philadelphia, Pa.
212. Stephens, Ben, Jr., St. Paul, Minn.
213. Stocker, John, New York, N.Y.
214. Strintz, Charles, formerly of C. G. Conn Co.
215. Stuart, David, Miami, Fla.
216. Stubbins, James B., Zanesville, Ohio
217. Sullivan, William T., Burbank, Ill.
218. Susman, Gerald Stephan, Philadelphia, Pa.
219. Swaim, Joseph C., Jr., Pittsburgh, Pa.
220. Tanner, B. Perry, III, Spartanburg, S.C.
221. Tartoloni, Floyd, former Gar Wood Industries employee
222. Taylor, Wm. W., Denver, Colo.
223. Thomas, J. J., Chicago, Ill.
224. Toy, Gerald G., Portland, Or.
225. Trowbridge, C. L., Des Moines, Iowa
226. Van Deuren, Richard A., Milwaukee, Wis.
227. Verdegem, Charles L., Allentown, Pa.
228. Visgar, G. E., Beloit, Wis.
229. Votteler, T. P., Dallas, Tex.
230. Wachtendorf, F. M., Mesquite, Tex.
231. Wainio, Russell E., former Wolverine Tube Division employee
232. Webster, John E., Cleveland, Ohio
233. Weinberg, Michael D., Minneapolis, Minn.
234. Welp, William L., Marshalltown, Iowa
235. Whisman, Clayton J., Westerville, Ohio
236. White, Merle, Klamath Falls, Or.
237. Wilf, Mervin M., Philadelphia, Pa.
238. Windate, George H., Akron, Ohio
239. Wood, R. Edwin, San Francisco, Cal.
240. Woodside, Roy H., Washington, D.C.
241. Wright, Richard F., Rochester, N.Y.
242. Wrinkle, John N., Birmingham, Ala.

- 243. Yenkin, Bernard K., Columbus, Ohio
- 244. Young, Howard
- 245. Zekind, Harry M., St. Louis, Mo.

**Additional Written Material
Submitted to Congress**

Additional Written Material Submitted to Congress

Correspondence

1. Adams, R. L., manager, Employee Security Division, Reynolds Metals Co., letter dated May 9, 1972, to Chairman Mills
2. Adams, R. L., manager, Employee Security Division, Reynolds Metals Co., Richmond, Va., letter dated July 7, 1972, to Senator Williams
3. Anish, Mel, President, Louisiana Home Furnishings Representatives, letter dated May 6, 1972, to Chairman Mills
4. Annunzio, Hon. Frank, a Representative in Congress from the State of Illinois, enclosing a letter, dated April 12, 1973, from Archie L. Stockwell to Chairman Dent
5. Apfelberg, Alvin I., New York, N.Y., letter dated May 11, 1972, to John M. Martin, Jr., chief counsel, Committee on Ways and Means
6. Augenblick, Robert L., Investment Co. Institute, letter, dated March 1, 1973, to Chairman Dent
7. Augsburger, Gale, Findlay, Ohio, letter dated December 15, 1971, to Senator Taft
8. Baird, John P., office of the vice president, secretary, and general counsel, Ralston Purina Co., St. Louis, Mo., letter dated July 26, 1968, to Senator Yarborough
9. Baldy, S. J., International Brotherhood of Electrical Workers, System Council No. 4, letter, dated March 24, 1973, to Chairman Dent enclosing 2 exhibits
10. Ballard, J. Vernon, Acting Director, U.S. Department of Labor, letter dated February 15, 1973, enclosing a reprint from Federal Register
11. Barnard, Morton John, Illinois State Bar Association, letter dated May 4, 1972, forwarded by Sheldon S. Cohen
12. Bassett, Preston C., Towers, Perrin, Forster, and Crosby, Inc., Philadelphia, Pa., letter, dated May 23, 1973, to Chairman Dent

13. Batts, Roscoe W., industrial relations, International Harvester Co., letter dated May 9, 1972, to the Committee on Ways and Means
14. Becker, W. E., director of personnel, Hercules Inc., Wilmington, Del., letter dated February 20, 1973, to Chairman Dent
15. Bernstein, Merton C., professor of law, Ohio State University, letter dated July 28, 1972, to Senator Taft
16. Blasier, Robert D., Vice President, industrial relations, Westinghouse Electric Corp., letter dated May 10, 1972, to Chairman Mills
17. Blasier, Robert D., Vice President, industrial relations, Westinghouse Electric Corp., letter dated July 11, 1972
18. Bolf, Joseph W., Keewatin, Minn., letter dated June 19, 1972
19. Boole, Clifford P., St. Louis Park, Minn., letter dated May 3, 1972
20. Brafmen, Stuart M., Vice President, Mortgage Guaranty Insurance Corp., Milwaukee, Wis., letter dated August 16, 1968, with attachment
21. Brennan, Hon. Peter J., Secretary, U.S. Department of Labor, letter to Chairman Dent
22. Brummund, Walter H., Appleton, Wis., letter dated May 8, 1972, to the Committee on Ways and Means
23. Bruskotter, J. W., employee relations, Marathon Oil Co., letter dated May 15, 1972, to Chairman Mills
24. Buesser, Frederick G., State Bar of Michigan, letter dated May 5, 1972, forwarded by Sheldon S. Cohen
25. Buzhardt, J. Fred, General Counsel of the Department of Defense, Washington, D.C., letter dated June 8, 1972
26. Caldwell, Robert J., President, California Products Corp., letter dated April 28, 1972, to Chairman Mills
27. Cameron, James, Winn-Dixie Stores, Inc., Jacksonville, Fla., dated November 3, 1971, to Senator Williams
28. Carton, V. J., manager, employee benefits, Gulf Oil Corp., letter dated May 3, 1972, to John M. Martin, Jr., chief counsel, Committee on Ways and Means

29. Casey, William J., Securities and Exchange Commission, Washington, D.C., letter dated May 6, 1972 (with enclosure)
30. Clarke, David J., Denver (Colo.) Bar Association, telegram dated May 6, 1972, forwarded by Sheldon S. Cohen
31. Cloud, R. Taylor, Director, employee benefits, Columbia Gas System Service Corp, to Noto, Mario T., special counsel, Senate Subcommittee on Labor
32. Coifman, Robert, M.D., Minneapolis, Minn., letter dated June 6, 1972
33. Collier, Boyd F., Virginia Supplemental Retirement System, Commonwealth of Virginia, letter, dated June 25, 1971, to Chairman Dent enclosing General Assembly House Joint Resolution No. 108
34. Connolly, Russell G., Gulf Oil Corp., Pittsburgh, Pa., letter dated July 11, 1972
35. Considine, John R., McKeesport, Pa.
36. Cooper, Edward, Vice President, Motion Picture Association of America, Inc., letter dated August 1, 1968, to Robert O. Harris, subcommittee counsel, with attachments
37. Cooper, J. W., chairman, employee trusts committee, Corporate Fiduciaries Association of Illinois, letter dated May 1, 1972, to John M. Martin, Jr., chief counsel, Committee on Ways and Means, with enclosure
38. Cooper, J. W., chairman, employee trusts committee, Corporate Fiduciaries Association of Illinois, letter dated May 4, 1972, to John M. Martin, Jr., chief counsel, Committee on Ways and Means, with enclosure
39. Cooper, J. W., Corporate Fiduciaries Association of Illinois, letter dated February 22, 1973, to Chairman Dent, enclosing written statements
40. Cramer, Harold, chancellor, Philadelphia Bar Association, letter dated May 4, 1972, forwarded by Sheldon S. Cohen

41. Cummings, Frank, minority general counsel, Committee on Labor and Public Welfare, U.S. Senate, letter dated June 8, 1972, to Goodman, Isadore, Chief, Pension Trust Branch, Internal Revenue Service, Washington, D.C.
42. Curtis, James A., F.S.A., Milliman and Robertson, Inc., Seattle, Wash., letter dated June 4, 1973, to Chairman Dent
43. Daume, W. B., Monsanto Co., letter dated May 10, 1972, to Chairman Mills
44. Davenport, John S., III, President, Virginia Bar Association, letter dated May 4, 1972, forwarded by Sheldon S. Cohen
45. Davis, Hilton, general manager, legislative action, Chamber of Commerce of the United States, Washington, D.C., letter dated February 20, 1973, to Senator Williams
46. Department of Labor, Washington, D.C., letter dated April 13, 1972, to Noto, Mario T., special counsel, Senate Subcommittee on Labor
47. Dill, Warren, Denver, Colo., letter dated May 5, 1972, to Chairman Mills
48. Dion, Walter J., former R. C. Mahon Co. employee (enclosing letter from the R. C. Mahon Co., dated December 2, 1971)
49. Dixon, G. E., Blue Bell, Inc., letter dated May 17, 1972, to Chairman Mills
50. Donahue, Thomas R., Assistant Secretary of Labor, letter dated September 5, 1968, to Senator Yarborough re: comparison of S. 1024, S. 3421 (Senator Yarborough) with S. 1103 (Senator Javits)
51. Doyle, Paul K., Union Oil Co. of California, letter dated May 8, 1972, to Chairman Mills
52. Dudeck, James R., Jacksonville, Fla., letter to John M. Martin, Jr., chief counsel, Committee on Ways and Means
53. Dulski, Hon. Thaddeus J., Chairman, Committee on Post Office and Civil Service, letter to Hon. Wilbur D. Mills, Chairman, Committee on Ways and Means, and reply thereto from Ullman, Hon. Al, Acting Chairman, Committee on Ways and Means

54. Dwyer, Gilbert E., Vice President, administration, Kennecott Copper Corp., letter to John M. Martin, Jr., chief counsel, Committee on Ways and Means
55. Eales, Rev. Jack D., The Episcopal Church Downtown, Minneapolis, Minn., letter dated June 6, 1972
56. Eck, John E., Jr., American Textile Manufactures Institute, letter dated May 18, 1972, to Chairman Mills
57. Elman, Leonard S., New York, N.Y., letter dated May 12, 1972, to John M. Martin, Jr., chief counsel, Committee on Ways and Means
58. Erlewine, John A., Atomic Energy Commission, Washington, D.C., letter dated June 9, 1972
59. Ewell, J. M., Manufacturing and Employee Relations, Procter and Gamble Co., letter dated March 15, 1973, to Chairman Dent, enclosing statement
60. Falstaff Brewing Corp., St. Louis, Mo., letter dated January 11, 1972, to Ballantine, P., & Sons, Newark, N.J.
61. Farrug, Eugene J., economics of legal profession committee, Chicago Bar Association, letter dated May 2, 1972, forwarded by Sheldon S. Cohen
62. Ferguson, William E., Thomson & McKinnon Auchincloss, Inc., letter dated May 1, 1972, to John M. Martin, Jr., chief counsel, Committee on Ways and Means
63. Figgins, W. M. (Wes), St. Paul Athletic Club, St. Paul, Minn., letter dated June 3, 1972
64. Finkelstein, Murray, member, Retail Shoe Employees' Union, Local 1268, letter to Senator Williams
65. Finn, Michael F., Arlington, Va., letter dated May 17, 1972, to John M. Martin, Jr., chief counsel, Committee on Ways and Means
66. Foster, R. F., director of personnel administration, FMC Corp., letter dated May 5, 1972, to Chairman Mills
67. Freedman, Gerald, legislative committee chairman, New England Home Furnishings Representatives Association, Inc., letter dated May 8, 1972, to Chairman Mills

68. Friend, Edward H., Edward H. Friend and Co., Washington, D.C., letter dated July 3, 1973, to Chairman Dent
69. Gatz, David, Birdsboro, Pa., letter dated May 3, 1972, to Chairman Mills
70. Gemmill, Kenneth W., Dechert, Price & Rhoads, Philadelphia, Pa., letter dated May 5, 1972, to Chairman Mills
71. Gendel, Martin, President, Beverly Hills (Cal.) Bar Association, letter dated May 1, 1972, forwarded by Sheldon S. Cohen
72. Gibala, Edward S., State Universities Retirement System, letter dated April 27, 1972, to John M. Martin, Jr., chief counsel, Committee on Ways and Means
73. Glick, Merle H., Caterpillar Tractor Co., letter dated May 9, 1973, to Chairman Dent, enclosing requested information
74. Gillham, Gregg J., Monticello, Minn., letter dated June 7, 1972
75. Goodman, I., Chief, Pension Trust Branch, Internal Revenue Service, letter dated June 23, 1972, to Cummings, Frank, minority general counsel, Committee on Labor and Public Welfare, U.S. Senate
76. Gray, Milton H., Chicago Bar Association, letter dated May 3, 1972, with enclosure, forwarded by Sheldon S. Cohen
77. Griswold, Mary B., administrative assistant to the president, Whitaker Cable Corp., Kansas City, Mo., letter dated October 1, 1971, to Noto, Mario T., special counsel, Subcommittee on Labor of the Senate Committee on Labor and Public Welfare
78. Grout, Richard A., Vice President, Marsh & McLennan, Inc., Detroit, Mich., letter dated June 16, 1972, to Noto, Mario T., special counsel, Senate Subcommittee on Labor
79. Guterman, Frederick H., President and Chief Executive Officer, the Horn and Hardart Co., New York, N.Y., "Dear John Letter" dated June 1, 1972

80. Haley, James A., a Representative in Congress from the State of Florida, letter dated March 27, 1973, to Chairman Dent, enclosing a letter from Douglas A. Matthews, Lakeland, Fla.
81. Harrison, Ronald C., National Home Furnishings Representatives Association, letter dated May 16, 1972, to Chairman Mills
82. Hassler, Keith, Portland, Or., letter dated September 27, 1968, to Senator Morse
83. Hazlehurst, Blackburn H., Hazlehurst and Associates, Inc., letter dated May 30, 1973, to Chairman Dent
84. Heim, Dr. Henry J., president, District of Columbia Dental Society, letter dated May 10, 1972, to Chairman Mills
85. Heinrich, Joe, St. Paul, Minn., letter dated June 4, 1972
86. Hendrickson, Ralph L., Minneapolis, Minn., letter dated June 22, 1972
87. Herman, Elliot A., New York, N.Y., letter dated May 15, 1972, to John M. Martin, Jr., chief counsel, Committee on Ways and Means
88. Hickie, H. G., Findlay, Ohio, letter dated December 8, 1971
89. Hickman, Frederic W., U.S. Department of the Treasury, Washington, D.C., letter dated June 9, 1972
90. Hiemstra, James W., Inglewood, Calif., letter dated April 28, 1972, to John M. Martin, Jr., chief counsel, Committee on Ways and Means
91. Hill, William J., Fraternal Association of Steel Haulers, Pittsburgh, Pa., letter dated March 28, 1973, to Chairman Dent, enclosing copy of pension fund
92. Hoehn, Kenneth W., Vice President and Treasurer, Columbia Broadcasting System, Inc., letter dated May 9, 1972, to the Committee on Ways and Means
93. Holmes, Wendell H., Vice President, Marsh & McLennan, Inc., Boston, Mass., letter dated April 13, 1971, to Dozier, W. D., manager, Industrial Relations, Benson Manufacturing Co., Kansas City, Mo.

94. Houck, Kenneth L., Bethlehem Steel Corp., letter dated May 10, 1972, forwarded by Mr. Cardon
95. Howard, Dr. Ernest B., Executive Vice President, American Medical Association, letter dated May 19, 1972, to Chairman Mills
96. Hughes, Jim, Georgia Home Furnishings Representatives Association, letter dated May 10, 1972, to Chairman Mills
97. Hunt, W. J., Vice President and Treasurer, Minneapolis-Moline, Inc., Hopkins, Minn., letter dated September 26, 1968
98. Javits, Hon. Jacob K., a U.S. Senator from New York, letter dated October 3, 1968, to Ed Lyman, president, U.S. National Bank of Omaha, Omaha, Neb., with attachments
99. Johnson, Jack B., New England Life, letter dated May 11, 1972, to Chairman Mills
100. Jones, Edward H., Secretary, Iowa State Bar Association, telegram dated May 3, 1972, forwarded by Sheldon S. Cohen
101. Jones, Lowell M., the Firestone Tire & Rubber Co., letter dated May 9, 1972, to Chairman Mills
102. Kadison, Stuart L., president, Los Angeles County (Cal.) Bar Association, letter dated May 3, 1972, to Ways and Means Committee
103. Kane, E. R., Senior Vice President, E. I. duPont de Nemours & Co., letter dated May 11, 1972, to Chairman Mills
104. Kaye, Lloyd S., Vice President, Johnson & Higgins, New York, N.Y., letter dated August 16, 1968, to Senator Yarborough, with attachment
105. Keene, Kenneth K., Vice President and Director, Johnson & Higgins, letter dated May 5, 1972, to John M. Martin, Jr., chief counsel, Committee on Ways and Means
106. Kelso, Louis O., Bangert & Co., San Francisco, Calif. letter dated February 21, 1973, to Chairman Dent, enclosing several documents

107. Lafollette, Mary, Alaska Bar Association, telegram dated May 5, 1972, forwarded by Sheldon S. Cohen
108. Lamon, Harry V., Jr., Southern Pension Conference, letter dated May 18, 1972, to John M. Martin, Jr., chief counsel, Committee on Ways and Means
109. Lang, Virgil D., Dresser Industries, Inc., letter dated May 10, 1972, to John M. Martin, Jr., chief counsel, Committee on Ways and Means
110. Laudig, Mrs. Harry L., Minneapolis, Minn., letter dated June 5, 1972
111. Laughlin, Dr. Carl A., President, American Dental Association, letter dated May 19, 1972, to Chairman Mills, with enclosure
112. Lavercombe, Robert R., President, Cincinnati (Ohio) Bar Association, telegram dated May 4, 1972, forwarded by Sheldon S. Cohen
113. Laxson, Russell W., Honeywell, letter dated August 8, 1972
114. Leff, Edwin E., President, Empire State Home Furnishings Representatives Association, Inc., letter dated May 5, 1972, to Chairman Mills
115. LeMatty, R. S., Blue Bell, Inc., letter dated May 17, 1972, to Chairman Mills
116. Little, Stanley M., Jr., The Boeing Co., Seattle, Wash., letter dated April 23, 1973, to Hon. Lloyd Meeds, enclosing a statement by John M. Look
117. Locke, Edwin A., Jr., American Paper Institute, letter dated March 2, 1973, to Chairman Dent
118. Lucas, William L., Martin Marietta Corp., letter dated May 8, 1972, to Chairman Mills
119. Luebs, Harold W., Administrator, Children's Hospital of Pittsburgh, Pittsburgh, Pa., letter dated October 1, 1968, to Senator Yarborough
120. Malone, John S., Secretary, California Bar Association, telegram dated May 7, 1972, forwarded by Sheldon S. Cohen
121. Mann, L. K., Executive Vice President, Blue Bell, Inc., letter dated May 17, 1972, to Chairman Mills

122. Martin, John H., Litton Industries, Inc., Beverly Hills, Calif., letter dated July 26, 1972
123. Maryanko, Mrs. Dorothy M., Pittsburgh, Pa., letter dated March 20, 1973, to Chairman Dent
124. Mayson, J. D., Dresser Industries, Inc., letter dated July 11, 1972
125. McCabe, C. Law, McKeesport, Pa., letter dated April 18, 1973, to Chairman Dent
126. McKenna, William F., National League of Insured Savings Associations, letter dated May 8, 1972, to Chairman Mills
127. Meyer, Henry V., Denver, Colo., letter dated May 10, 1972, to John M. Martin, Jr., chief counsel, Committee on Ways and Means
128. Morris, Edwin A., Blue Bell, Inc., Greensboro, N.C., letter dated May 17, 1972, to Chairman Mills
129. Morris, Edwin A., Blue Bell, Inc., Greensboro, N.C., letter dated June 19, 1972
130. Mullaney, Joseph E., General Counsel, Cost of Living Council, Washington, D.C., letter dated July 7, 1972
131. Munroe, Douglas, director of personnel, Anaconda Co., New York, N.Y.
132. Murphy, Gilbert, ACSW, executive director, Older Adult Special Issues Society, Inc., St. Louis, Mo., letter dated May 12, 1972, to Senator Eagleton
133. Murphy, James J., legislative assistant to Senator Thomas F. Eagleton, letter dated May 10, 1972, to Reynolds, Susan and J. H., J. H. Reynolds and Associates, Inc.
134. Murphy, John J., Assistant Director for Reports and Analysis, Office of Labor-Management and Welfare Pension Reports, U.S., letter dated April 28, 1972, to Schmid, A. E. S., president, American Zinc Co.
135. Naftalin, Neil T., Minneapolis, Minn., letter dated June 6, 1972
136. Noble, Stanley D., president, Council of Profit Sharing Industries, letter dated May 18, 1972, to Chairman Mills

137. Norrgard, Mrs. Martha, St. Paul, Minn., letter dated June 5, 1972
138. Norton, Harold C., Secretary, Alameda County (Cal.) Bar Association, letter dated May 5, 1972, forwarded by Sheldon S. Cohen
139. Noto, Mario T., special counsel, Senate Subcommittee on Labor, to Cloud, R. Taylor, director, employee benefits, Columbia Gas System Service Corp.
140. Noto, Mario T., special counsel, Senate Subcommittee on Labor, to Gluesenkamp, Lester O., assistant treasurer, Mallinckrodt Chemical Works, St. Louis, Mo.
141. Noto, Mario T., special counsel, Senate Subcommittee on Labor, to King, Mrs. S. L., assistant vice president of personnel, American Telephone & Telegraph Co.
142. Noto, Mario T., special counsel, Senate Subcommittee on Labor, to Mayer, Walter, assistant pension plan administrator, Anaconda Co.
143. Noto, Mario T., special counsel, Senate Subcommittee on Labor, to Simon, Jerome M., administrator, Local 1260, Retail Shoe Employees Union
144. Noto, Mario T., special counsel, Senate Subcommittee on Labor, to Stiffler, Darrell V., Jr., national director of personnel and industrial relations, Great Atlantic & Pacific Tea Co., Inc.
145. Noto, Mario T., special counsel, Senate Subcommittee on Labor, to Ward, Patrick A., assistant treasurer, Studebaker Worthington Corp.
146. Noto, Mario T., special counsel, Senate Subcommittee on Labor, letter dated April 24, 1972, to Schmid, Arthur E. S., President, American Zinc Co., St. Louis, Mo.
147. Noto, Mario T., special counsel, Senate Subcommittee on Labor, to Slick, E. E., Jr., President, Haws Refractories Co.
148. Pagliaro, Carmen J., President, Local Union No. 1640, United Steelworkers of America
149. Passero, R. J., President, National Society of Public Accountants, letter dated May 18, 1972, to Chairman Mills

150. Paul, Robert D., President, Martin E. Segal Co., consultants and actuaries, New York, N.Y., letter dated May 24, 1973, to Chairman Dent
151. Paul, Robert D., President, Martin E. Segal Co., consultants and actuaries, New York, N.Y., letter dated September 26, 1972, to Hodgson, Hon. James, Secretary of Labor, Washington, D.C., with attachment
152. Prewett, Hartford H., president, Houston (Tex.) Bar Association, letter dated May 5, 1972, forwarded by Sheldon S. Cohen
153. Randolph, Christopher F., staffmember, Subcommittee on Labor of the Senate Committee on Labor and Public Welfare
154. Reed, J. Price, vice president and director of personnel, Pet, Inc., letter dated May 11, 1972, to Chairman Mills
155. Retired Employees of Findley Div. Sargent Industries, Gar Wood Division, Wayne, Mich., letter dated December 1, 1971
156. Reynolds, Joseph H. and Susan E., J. H. Reynolds & Associates, Inc., St. Charles, Mo., letter dated April 15, 1972, to Murphy, Frank, Office of Senator Thomas F. Eagleton, Washington, D.C. (with attachment)
157. Roban, Mrs. Mary, St. Paul, Minn.
158. Robbins, Paul H., P. E., executive director, National Society of Professional Engineers, letter dated June 23, 1972, to Senator Williams
159. Rogers, Hon. Paul G., a Representative in Congress from the State of Florida, letter dated February 21, 1973, to Chairman Dent, enclosing two letters from Forrest B. Crane and two newspaper articles
160. Rolnick, Louis, ILGWU National Retirement Fund, letter dated August 7, 1972
161. Rommel, Wilfred H., Assistant Director for Legislative Reference, Office of Management and Budget, Washington, D.C., letter dated June 8, 1972
162. Romney, George, Housing and Urban Development, Washington, D.C., letter dated June 15, 1972

163. Rossoff, Arthur L., Chairman, Association of Long Island Engineers & Scientists, letter dated May 19, 1972, to John M. Martin, Jr., chief counsel, Committee on Ways and Means, with enclosure
164. Sagan, John, Ford Motor Co., Dearborn, Mich., letter dated July 10, 1972
165. Scholfield, Jack P., Seattle-King County (Wash.) Bar Association, letter dated May 4, 1972, forwarded by Sheldon S. Cohen
166. Schultz, Mrs. Kenneth, Hopkins, Minn.
167. Scott, D. H., Nabisco, Inc., letter dated May 8, 1972, to Chairman Mills
168. Simon, Stanley C., the Southland Corp., letter dated March 21, 1973, to Vance J. Anderson, subcommittee counsel, enclosing profit-sharing report for 1972 and profit-sharing accounts of eight employees
169. Sorquist, Robert J., Universal Oil Products Co., letter to W. D. Crean, letter dated February 12, 1973, enclosing a letter to Herbert Claus, dated March 17, 1973
170. Sperry, W. A., Mankato, Minn., letter dated June 7, 1972
171. Stenson, Anne, Cleveland, Ohio, letter dated May 19, 1972, with enclosures
172. Stevenson, Carl L., Eastman Kodak Co., letter dated May 12, 1972, forwarded by John A. Cardon
173. Stewart, Samuel B., senior vice chairman of the board, Bank of America, letter dated May 12, 1972, to Chairman Mills
174. Stiffler, Darrell V., Jr., national director of personnel and industrial relations, Great Atlantic & Pacific Tea Co., Inc.
175. Stone, Dale D., Sun Oil Co., letter dated May 4, 1972, to the Committee on Ways and Means
176. Stoops, Dale I., President, Alameda County (Calif.) Bar Association, telegram dated May 6, 1972, forwarded by Sheldon S. Cohen

177. Taft, Hon. Robert, Jr., a U.S. Senator from the State of Ohio, letter to Ulichnie, Michael, Cleveland, Ohio, with enclosure
178. Taggart, John Y., New York, N.Y., letter dated May 18, 1972, to the Committee on Ways and Means
179. Talmadge, George E., Profit Sharing Committee, Bowes Seal Fast Corp., Indianapolis, Ind., letter dated July 20, 1972 with enclosure
180. Tangen, Alice, Minneapolis, Minn., letter dated July 24, 1972
181. The International Union, United Automobile Aerospace, and Agricultural Implement Workers of America (UAW), and Locals 932, 107, 1147
182. Thomas, W. R., Employees Relations Department, Phillips Petroleum Co., Bartlesville, Okla., letter dated August 1, 1972
183. Thomas, W. R., vice president, employee relations department, Phillips Petroleum Co., letter dated May 30, 1972, to Chairman Mills
184. Thome, Michael N., State of California, letter dated May 2, 1973, to Russell J. Mueller
185. Thore, Eugene M., Washington, D.C., letter dated May 16, 1972, to John M. Martin, Jr., chief counsel, Committee on Ways and Means
186. Ulichnie, Michael, United Mine Workers, Cleveland, Ohio, letter dated March 24, 1972
187. Verity, C. William Jr., Armco Steel Corp., letter dated May 4, 1972, to Chairman Mills
188. Wade, Roy, Winn-Dixie Stores, Inc., letter dated October 8, 1971
189. Wall, John R., personnel, Republic Steel Corp., Cleveland, Ohio, letter dated July 28, 1972
190. Ward, Forrest D., Minneapolis, Minn., letter dated June 26, 1972
191. Ward, Patrick A., assistant treasurer, Studebaker Worthington Corp.
192. Warren, Kenneth A., Kimberly-Clark Corp., letter dated July 19, 1972

193. Weber, Philip H., Weber Financial, Inc., Fresno, Calif., forwarded by Hon. B. F. Sisk, a Representative in Congress from the State of California
194. Whitehurst, Hon. William G., a Representative in Congress from the State of Virginia, letter dated May 15, 1972, to Chairman Mills, with enclosures
195. Whyte, William G., Vice President, United States Steel Corp., letter dated May 19, 1972, to Chairman Mills
196. Williams, Hon. Harrison A., Jr., Chairman, Labor Subcommittee, Committee on Labor and Public Welfare, U.S. Senate, Washington, D.C., letter dated July 19, 1970, to Hodgson, Hon. James D., Secretary, Department of Labor, Washington, D.C.
197. Williams, James R., President, National Retail Merchants Association, letter dated May 18, 1972, to Chairman Mills
198. Willis, E. S., representative, General Electric Co., with enclosures
199. Wilson, Wilmot, Findlay, Ohio, letter dated December 10, 1971
200. Wisely, Harold M., group vice president, Eli Lilly & Co., letter dated May 15, 1972, to Chairman Mills
201. Wood, Curtis L., Rocky Mountain Motor Tariff Bureau, letter dated May 16, 1972, to the Committee on Ways and Means
202. Wood, William J., President, Indianapolis Bar Association, letter dated May 10, 1972, to Chairman Mills, with resolution
203. Wurzel, Dr. Edward M., executive director, American Association of Medical Clinics, letter dated May 18, 1972, to Chairman Mills, with statement
204. Wyzlic, Donald B., personnel manager, Minneapolis-Moline, Inc., Hopkins, Minn., letter dated March 3, 1972
205. Young, Thomas, M., F.S.A., of Stone, Young & Co., Glen Ridge, N.J., letter dated April 11, 1972, with enclosure

Articles and Publications

1. "A History of the A. & P. Retirement Plan," the retirement plan adopted by the Great Atlantic & Pacific Tea Co., Inc.
2. "Chapter VIII-Pension-Benefit Plans, Foundations, and Educational Endowments," an Institutional Investors Study
3. "Chef, 72, Mourns a Lost Pension," by Rose DeWolf, from the Philadelphia Inquirer
4. "Interim Report of Activities of Private Welfare and Pension Plan Study, 1971" (S. Rept. 92-634)
5. "Man Who Opposed Union at H&H Now Will Lose Pension," by William Thompson, from the Philadelphia Inquirer
6. "New Approaches to the Housing Crisis," from the Congressional Record-Extensions of Remarks, December 29, 1969
7. "Out of the Cold: Increasing Layoffs Rob Many of Their Pensions as Well as Their Jobs," by Jim Hyatt, from the Wall Street Journal, November 4, 1970, reprint from the Congressional Record, Senate, November 17, 1970
8. "Pension Funds in an Age of Discontinuity," by Julian Gumperz, reprinted from the Financial Analysts Journal, November-December 1970
9. "Prohibited Transactions," provisions of Internal Revenue Code
10. "Terminations of Pension Plans: 11 Years' Experience"
11. "Your Pension: Does It Provide Real Protection?" by Lawrence Hillock, from the Lorain (Ohio) Journal, reprint from the Congressional Record, Senate, November 17, 1970

Plan Documents and Trust Agreements

1. American Zinc Co., Retirement Benefit Plan For Hourly Employees
2. Anaconda Co., Pension Plan, part III

3. Anaconda Co., Pension Plan For Day's Pay Employees, appendix A
4. Benson Manufacturing—Union Employees' Retirement Income Plan, amendment to July 20, 1967
5. Fruehauf Corp., Detroit, Mich., Employee Welfare or Pension Benefit
6. General Electric Co. Pension Plan, part III
7. Great Atlantic & Pacific Tea Co., Inc. Pension Plan, parts I-V
8. Horn & Hardart Retirement Pension Plan
9. Pension trust agreement between F. W. Woolworth Co., and Irving Trust Co., as trustee, for the benefit of employees of F. W. Woolworth Co.
10. Retirement Income Plan of Electric Communications, Inc., a subsidiary of NCR, Benson Manufacturing Division, installed January 1, 1965, as amended July 20, 1969
11. Retirement Plan for Employees of F. W. Woolworth Co., as amended through January 1, 1958
12. Retirement Plan for Employees of F. W. Woolworth Co., as revised January 1, 1971
13. Retirement Plan for Salaried Employees of the Anaconda Co.
14. The Retirement Fund of Retail Shoe Employees
15. The Savings and Profit Sharing Pension Fund of Sears, Roebuck & Co. Employees
16. Trust Agreement Between Chemical Bank New York Trust Co., as trustee and the Benson Manufacturing Co.
17. Whitaker Cable Corp. Employees' Pension Trust, as last amended December 1, 1968

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2. Comparison of the vesting interest in the administration bill and similar bill proposed on pension benefits

3. Number of employees for whom benefits were funded, 1955-65
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5. Range of estimates of net revenue loss attributable to special tax treatment of private retirement plans, 1966
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2. Examples of Employees Benefit Trust Fund Mismanagements
3. Form (employee benefit trusts)
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5. Job Mobility as it Relates to Age and Service Requirements of Vesting Provisions in Private Pension Plans
6. Letters from various individuals reflecting problem areas of private pension plans
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9. Representative letters of complaint from pension beneficiaries to Senator Jacob K. Javits, a U.S. Senator from the State of New York
10. Technical Considerations Involved in Proposed "Pension Benefit Security Act"

Pension Studies, Reports and Memoranda

1. American Society of Pension Actuaries, position report on H.R. 2 and H.R. 462

2. Armstrong, Paul, memorandum dated June 1, 1972, regarding chronology of subcommittee communications concerning the Columbus Malleable pension plan termination, to Noto, Mario T., Special Counsel, Senate Subcommittee on Labor, with attachments
3. Cookenbach, John M., President, Trust Division, American Bankers Association, technical memorandum
4. Departmental Report: Bureau of the Budget
5. Departmental Report: Department of Transportation
6. Departmental Report: General Accounting Office
7. Diversion of Union Welfare-Pension Funds of Allied Trades Council and Teamsters Local 815, report of the Senate, Committee on Government Operations, June 30, 1966 (S. Rept. 1348, 89th, 2d)
8. Excerpts from the Congressional Record of Apr. 5, 1971, pertinent to the Senate Labor Subcommittee pension study
9. Form P-1 (S. Res. 360) received from American Telephone & Telegraph Co. (Part III)
10. Form P-1 (S. Res. 360) received from D.C. Transit System, Inc. Employees Ret. Plan
11. Form P-1 (S. Res. 360) received from the Genesco Retirement Plan
12. Form P-1 (S. Res. 360) received from the Kendall Co., Walpole, Mass.
13. Form P-1 (S. Res. 360) received from Western Union (Part III)
14. Form P-1 (S. Res. 360) received from Western Union (Part IV)
15. Memoranda regarding chronology of communications between Labor Subcommittee and Baldwin-Lima-Hamilton Corp., June 1, 1972 (with attachments)
16. Mortgage Guaranty Insurance Corp., Milwaukee, Wis. joint memorandum, Government and private enterprise guaranty of pension fund benefits
17. Randolph, Christopher F., staff member, memorandum regarding chronology of communications between Labor Subcommittee and Sargent Industries, June 1, 1972 (with attachments)

18. Welfare and pension plans investigation, 84th Cong., 2d sess., S. Rept. 1734, April 16, 1956

Annual Reports and Actuarial Valuations

1. Benson Manufacturing Co. Union Employees' Retirement Income Plan, Report of Sixth Annual Valuation as of January 1, 1971, prepared by Marsh & McLennan, Inc., Boston, Mass., April 1971
2. Employees' Retirement Plans of Dominion Electric Corp., Actuarial Valuation Report
3. Employee welfare or pension benefit plan annual report form as used by GENESCO, Inc., Nashville, Tenn. and Exhibits (submitted by the Genesco Corp.):
 - Exhibit A: companies and divisions
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 - Exhibit C: bridge amendment - Kress pension plan
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 - Exhibit E: Kress pension plan forms
 - Exhibit F: affidavit, John T. Choate
 - Exhibit G: Affidavit, Richard D. Tucker
 - Exhibit H: Kress managers dismissed, 1971, with shrinkage involved
 - Exhibit I: affidavit, C. Harvey Williamson
 - Exhibit J: Affidavit, Leonard K. Guiler
 - Exhibit K: minutes Kress pension committee
 - Exhibit L: completed form P-1
4. Information on Employee Welfare or Pension Benefit Plan Covering Fewer Than 100 Participants (U.S. Department of Labor, Form D-3), Dominion Electric Corp., Year Ending July 31, 1969
5. Plan Annual Report Form (D-2), year ending December 31, 1970
6. Sargent Industries of Michigan, Inc. (formerly Gar Wood Industries), Findlay Plant, Findlay, Ohio, Employee Welfare or Pension Benefit Plan Annual Report Form (D-2)

7. Teachers Insurance and Annuity Association, College Retirement Equities Fund, Report of Premiums and Benefits Under Your Retirement Annuities For Calendar Year ending December 31, 1971

Other Pension Plan Materials

1. Agreement between Genesco, Inc., and Securities and Exchange Commission concerning restrictions of employee stock purchase plan and special stock purchase plan
2. Agreement between the Benson Manufacturing Co. and the union employees, July 20, 1965
3. Application for Pension Allowance, William H. Wheeler
4. Application for Pension, United Mine Workers of America, Michael J. Ulichnie, May 29, 1967 (with attachments)
5. Articles of agreement for the sale of Ingram-Richardson Manufacturing Co. to Park Electrochemical Corp.
6. Authorization for Monthly Pension Allowance, Gar Wood Industries, Inc., William H. Wheeler
7. Information on Applying for Pension, United Mine Workers of America, Welfare and Retirement Fund, Washington, D.C.
8. Joseph Horne Co., pension plan earnings
9. Notice from the R. C. Mahon Co., dated May 25, 1967
10. "Retirement Security," brochure outlining the Retirement Plan of the Anaconda Co.
11. The Savings and Profit Sharing Pension Fund of Sears, Roebuck & Co. employees - Rules and Regulations

Rules and Regulations

1. Additional New York State forms and regulations pertaining to employee welfare
2. New York State Employee Welfare Fund Act of 1956

3. Regulation 9 – Fiduciary powers of national banks and collective investment funds
4. State of New York official compilation of codes, rules, and regulations
5. State of Wisconsin, office of the commissioner of insurance – classification of registered employee pension and welfare funds, December 31, 1971

Miscellaneous Materials

1. Press release dated Thursday, April 13, 1972, announcing public hearings on administration tax proposal affecting private pension plans
2. Press release of September 20, 1973, inviting submissions of written comments on Senate-passed pension bill
3. Suggested provision for Federal enactment to permit States to regulate employee benefit plans and funds
4. U.S. District Court, Eastern District of Missouri, Eastern Division, Oil, Chemical & Atomic Workers, AFL-CIO, *et al.*, plaintiffs, v. American Zinc Co., *et al.*, defendants, No. 71C 568(2)
5. U.S. District Court, Western District-Western Division, F. Beard, *et al.*, plaintiffs v. Electronics Communications, Inc., defendant, Civil No. 19812-3

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Definition of the Term "Fiduciary," 40 Fed. Reg. 50,843 (1975) (codified at 29 C.F.R. § 2510.3-21 (1992))

Rules and Regulations for Minimum Standards for Employee Pension Benefit Plans, 40 Fed. Reg. 41,654 (1975)

Multiemployer Plan, 40 Fed. Reg. 52,008 (1975)

Rules and Regulations for Minimum Standards for Employee Pension Benefit Plans - Extension of Time for Filing Comments to Section 2530, 40 Fed. Reg. 52,724 (1975)

2555.1 Temporary Bonding Requirements, 40 Fed. Reg. 2,203 (1975) (codified at 29 C.F.R. § 2555.1 (1992))

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Rules and Regulations for Reporting and Disclosure - 2520.104-3 Deferral of Initial Reporting and Disclosure Requirements; Correction, 40 Fed. Reg. 20,628 (1975)

Guidelines for Submission of Application for Postponement of the Effective Date of Certain Fiduciary Responsibility Provisions - Redesignation of Subchapters, Parts and Sections, 40 Fed. Reg. 20,629 (1975)

Bonding Requirements - Redesignation of Subchapters, Parts and Sections, 40 Fed. Reg. 20,629 (1975)

Intent to Publish Proposal to Defer Certain Reporting and Disclosure Requirements, and to Extend Postponement of Effective Date of Certain Fiduciary Requirements, 40 Fed. Reg. 21,084 (1975)

Rules and Regulations for Fiduciary Responsibility - 2550.4146-1 Guidelines for Submission of Application for Postponement of the Effective Date of Certain Fiduciary Responsibility Provisions, 40 Fed. Reg. 24,896 (1975)

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Rules and Regulations for Reporting and Disclosure - Reporting and Disclosure Requirements; Correction, 41 Fed. Reg. 37,575 (1976)

Rules and Regulations for Reporting and Disclosure - Annual Reporting Requirements - Correction, 41 Fed. Reg. 42,654 (1976)

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Rules and Regulations for Fiduciary Responsibility - Maintenance of Indicia of Ownership of Plan Assets Outside Jurisdiction of District Courts of the United States, 42 Fed. Reg. 54,122 (1977)

Rules and Regulations for Fiduciary Responsibility - Acquisition and Holding of Employer Securities and Employer Real Property - Correction, 42 Fed. Reg. 59,842 (1977)

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Rules and Regulations for Reporting and Disclosure - Summary Annual Report, 43 Fed. Reg. 41,205 (1978)

Rules and Regulations for Administration and Enforcement - Regulation Governing Requests by Participants, Beneficiaries, or Fiduciaries for the Secretary of Labor to Exercise Certain Enforcement Authority, 43 Fed. Reg. 50,174 (1978)

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Definition of Terms - Severance Pay Plans, 44 Fed. Reg. 11,761 (1979)

Summary Annual Report Furnished Participants and Beneficiaries of Employee Benefit Plans, 44 Fed. Reg. 9,400 (1979) (codified at 29 C.F.R. § 2520 (1992))

Rules and Regulations for Reporting and Disclosure; Plan Description Requirements, 44 Fed. Reg. 31,639 (1979) (codified at 29 C.F.R. § 2520 (1992))

Rules and Regulations for Reporting and Disclosure - 2520.102-1 Plan Description - 2520.104a-2 Plan Description Reporting Requirements - 2520.104b-10 Summary Annual Report, 44 Fed. Reg. 31,640 (1979) (codified at 29 C.F.R. § 2520 (1992))

Definitions and Coverage under the Employer Retirement Income Security Act of 1974; Tax Sheltered Annuity Programs, 44 Fed. Reg. 23,525 (1979)

Rules and Regulations for Fiduciary Responsibility; Investment of Plan Assets under the "Prudence" Rule, 44 Fed. Reg. 37,221 (1979) (codified at 20 C.F.R. § 2550 (1992))

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Regulation Relating to Reporting and Disclosure under Title I of the Employee Retirement Income Security Act of 1974, 45 Fed. Reg. 25,404 (1980) (codified at 29 C.F.R. § 2520 (1992))

Exemption from Reporting and Disclosure Requirements for Apprenticeship and Other Training Plans; Correction, 45 Fed. Reg. 27,932 (1980) (codified at 29 C.F.R. § 2520.104-22 (1992))

Rules and Regulations for Reporting and Disclosure; Summary Plan Description Requirements; Final Regulations, 45 Fed. Reg. 14,029 (1980) (codified at 29 C.F.R. § 2520.104 (1992))

Rules and Regulations for Reporting and Disclosure, 45 Fed. Reg. 14,034 (1980) (codified at 29 C.F.R. § 2520.103(e) (1992))

Rules and Regulations for Reporting and Disclosure 2520.104-47 Limited Exemption and Alternative Method of Compliance for Filing of Insurance Company Financial Reports, 45 Fed. Reg. 14,034 (1980)

Exemption from Reporting and Disclosure Requirements for Apprenticeship and Other Training Plans, 45 Fed. Reg. 15,527 (1980)

Reporting and Disclosure under Title I of the Employee Retirement Income Security Act of 1974; Final Regulation Relating to Model Simplified Employee Pensions, 45 Fed. Reg. 24,866 (1980) (codified at 29 C.F.R. § 2520 (1992))

Deletion of Regulation Relating to the Elapsed Time Method of Crediting Service of Employee, 45 Fed. Reg. 40,987 (1980) (codified at 29 C.F.R. § 2530 (1992))

Fiduciary Responsibility; Statutory Exemption for Certain Acquisitions, Sales or Leases of Property, 45 Fed. Reg. 51,194 (1980) (codified at 29 C.F.R. § 2550 (1992))

Employee Benefit Plans; Rules and Regulations for Reporting and Disclosure 2520.103-1 Contents of the Annual Report 2520.103-9 Direct Filing for bank or insurance carrier trusts and accounts 2520.104-41 Simplified annual reporting requirements for plans with fewer than 100 participants 2520.104-44 Limited exemption and alternative method of compliance for annual reporting by unfunded plans and by certain insured plans, 45 Fed. Reg. 51,446 (1980) (codified at 20 C.F.R. § 2520 (1992))

1981

Reporting and Disclosure under Title I of the Employee Retirement Income Security Act of 1974; Final Regulation Relating to Certain Simplified Employee Pensions, 46 Fed. Reg. 1,261 (1981) (codified at 29 C.F.R. § 2520 (1992))

Regulation Relating to Reporting and Disclosure for Short Plan Years 2520.104-50 Short Plan Years, deferral of accountant's examination and report, 46 Fed. Reg. 1,265 (1981) (codified at 29 C.F.R. § 2520.104-50 (1992))

Maintenance of Indicia of Ownership of Plan Assets outside Jurisdiction of the District Courts of the United States, 46 Fed. Reg. 1,266 (1981) (codified at 29 C.F.R. § 2550 (1992))

Limited Relief from Reporting Disclosure, and Claims Procedure Requirements with Respect to Welfare Plans Offering Membership in a Qualified Health Maintenance Organization as an Option, 46 Fed. Reg. 5,882 (1981) (codified at 29 C.F.R. § 2520.2560 (1992))

Regulations Relating to Certain Loans, Leases and Dispositions of Property prior to June 30, 1984, 46 Fed. Reg. 7,320 (1981) (codified at 29 C.F.R. § 2550 (1992))

Rules and Regulations for Minimum Standards for Employee Benefit Plans; Suspension of Benefit Rules, 46 Fed. Reg. 8,894 (1981)

Notice of Deferral of Effective Dates of Regulations, 46 Fed. Reg. 11,253 (1981) (codified at 29 C.F.R. §§ 2520, 2550, 2560 (1992))

Notice of Deferral of Effective Dates of Regulations, 46 Fed. Reg. 12,205 (1981) (codified at 29 C.F.R. §§ 2520, 2550, 2560 (1992)) Rules and Regulations for Minimum Standards for Employee Benefit Plans; Suspension of Benefit Rules - Deferral of Effective Date 2530.203-3 Suspension of Pension Benefits upon Reemployment of Retirees, 46 Fed. Reg. 28,157 (1981) (codified at 29 C.F.R. § 2530 (1992))

Revision of Annual Return/Reports and Regulations Regarding Plans which participate in master trust, 46 Fed. Reg. 61,074 (1981) (codified at 29 C.F.R. § 2520 (1992))

Rules and Regulations for Minimum Standards for Employee Benefit Plans; Suspension of Benefit Rules - Deferral of Effective Date 2530.203-3 Suspension of Benefit Rules, 46 Fed. Reg. 33,517 (1981) (codified at 29 C.F.R. § 2530.203-3 (1992))

Rules and Regulations for Minimum Standards for Employee Benefit Plans; Suspension of Benefit Rules - Deferral of Effective Date 2530.203-3 Suspension of Benefit Rules, 46 Fed. Reg. 39,138 (1981) (codified at 29 C.F.R. § 2530.203-3 (1992))

Rules and Regulations for Minimum Standards for Employee Benefit Plans; Suspension of Benefit Rules - Deferral of Effective Date 2530.203-3 Suspension of Benefit Rules, 46 Fed. Reg. 43,663 (1981) (codified at 29 C.F.R. § 2530.203-3 (1992))

Rules and Regulations for Minimum Standards for Employee Benefit Plans; Suspension of Benefit Rules - Deferral of Effective Date 2530.203-3 Suspension of Benefit Rules, 46 Fed. Reg. 43,833 (1981) (codified at 29 C.F.R. § 2530.203-3 (1992))

Rules and Regulations for Minimum Standards for Employee Benefit Plans; Suspension of Benefit Rules - Deferral of Effective Date 2530.203-3 Suspension of Benefit Rules, 46 Fed. Reg. 47,584 (1981) (codified at 29 C.F.R. § 2530.203-3 (1992))

Rules and Regulations for Minimum Standards for Employee Benefit Plans; Suspension of Benefit Rules - Adoption of Amendments 2530.203-3 Suspension of Benefit Rules, 46 Fed. Reg. 59,243 (1981) (codified at 29 C.F.R. § 2530.203-3 (1992))

Rules and Regulations for Minimum Standards for Employee Benefit Plans; Suspension of Benefit Rules - Adoption of Amendments 2530.203-3 Suspension of Benefits upon Employment, 46 Fed. Reg. 60,572 (1981) (codified at 29 C.F.R. § 2530.203-3 (1992))

1982

Rules and Regulations for Fiduciary Responsibility; Trust Requirement and Definition of Plan Assets - Government Mortgage Pools, 47 Fed. Reg. 21,241 (1982) (codified at 29 C.F.R. § 2550 (1992))

Summary Annual Report Furnished Participants and Beneficiaries of Employee Benefit Plans, Amendments and Corrections, 47 Fed. Reg. 31,871 (1982) (codified at 29 C.F.R. § 2520 (1992))

Definitions and Coverage under Employee Retirement Income Security Act of 1974; Supplemental Payments, 47 Fed. Reg. 50,237 (1982)

Definitions and Coverage under Employee Retirement Income Security Act of 1974; Supplemental Payments; Correction, 47 Fed. Reg. 50,237 (1982) (codified at 29 C.F.R. § 2510 (1992))

1983

Employee Benefit Plans; Reporting and Disclosure, 48 Fed. Reg. 1,712 (1983) (codified at 29 C.F.R. § 2520 (1992))

1986

Technical Amendment of Rules Relating to Pension and Welfare Benefits, 51 Fed. Reg. 21,748 (1986) (codified at 29 C.F.R. Ch. XXV (1992))

Final Regulation Relating to the Definition of Plan Assets, 51 Fed. Reg. 41,262 (1986) (codified at 29 C.F.R. §§ 2509, 2510, 2550 (1992))

Exemption and Alternative Method of Annual Reporting for Plans Investing in Certain Equities, 51 Fed. Reg. 41,285 (1986) (codified at 29 C.F.R. § 2520 (1992))

Final Regulation Relating to Definition of Plan Assets; Corrections 2510.3-101, 51 Fed. Reg. 47,226 (1986) (codified at 29 C.F.R. §§ 2509, 2510, 2550 (1992))

1987

Bonding under the Federal Employee's Retirement System Act of 1986, 52 Fed. Reg. 35,864 (1987) (codified at 29 C.F.R. § 2582 (1992))

1988

Definition of Plan Assets; Participant Contributions, 53 Fed. Reg. 17,628 (1988) (codified at 29 C.F.R. § 2510 (1992))

Final Regulation Relating to Civil Penalties under ERISA Section 502(i), 53 Fed. Reg. 37,474 (1988) (codified at 29 C.F.R. § 2560 (1992))

Final Regulation Establishing Procedures for the Assessment of Civil Sanctions under ERISA Section 502(i), 53 Fed. Reg. 37,477 (1988) (codified at 29 C.F.R. § 2570 (1992))

Allocation of Fiduciary Responsibility, Federal Retirement Thrift Investment Board, 53 Fed. Reg. 52,684 (1988) (codified at 29 C.F.R. § 2584 (1992))

1989

Final Interim Rule Relating to the Prohibited Transaction Exemption Procedures under the Federal Employee's Retirement System Act, 53 Fed. Reg. 52,688 (1989) (codified at 29 C.F.R. § 2585 (1992))

Annual Reporting and Disclosure Requirements, 54 Fed. Reg. 8,624 (1989) (codified at 29 C.F.R. § 2520 (1992))

Loans to Plan Participants and Beneficiaries Who Are Parties in Interest with Respect to the Plan, 54 Fed. Reg. 30,520 (1989) (codified at 29 C.F.R. § 2550 (1992))

Final Regulation Relating to Civil Penalties under ERISA Section 8477(e)(1)(B), 54 Fed. Reg. 32,635 (1989) (codified at 29 C.F.R. § 2589 (1992))

Final Regulation Relating to Civil Penalties under ERISA Section 502(c)(2), 54 Fed. Reg. 26,890 (1989) (codified at 29 C.F.R. § 2560 (1992))

Regulation Establishing Procedures for Administrative Hearings under ERISA Section 502(c)(2), 54 Fed. Reg. 26,895 (1989) (codified at 29 C.F.R. § 2570 (1992))

Bonding under the Federal Employee's Retirement System Act of 1986, 54 Fed. Reg. 53,607 (1989) (codified at 29 C.F.R. § 2582 (1992))

1990

Interim Regulation Relating to Civil Penalties under ERISA Section 502(e), 55 Fed. Reg. 25,284 (1990) (codified at 29 C.F.R. § 2570 (1992))

Prohibited Transaction Exemption Procedures; Employee Benefit Plans, 55 Fed. Reg. 32,836 (1990) (codified at 29 C.F.R. § 2570; 29 C.F.R. § 2585 (1992))

1991

Pension and Welfare Benefits Administration, 56 Fed. Reg. 14,860 (1991) (codified at 29 C.F.R. § 2570 (1992))

Employment and Training Administration; Employment Standards Administration; Office of the Secretary; Wage and Hour Division; Pension and Welfare Benefits Administration, 56 Fed. Reg. 54,708 (1991) (codified at 29 C.F.R. § 6; 29 C.F.R. § 18; 29 C.F.R. § 500; 29 C.F.R. § 579; 29 C.F.R. § 580; 29 C.F.R. § 2570 (1992))

1992

Final Regulation Regarding Participant Directed Individual Account Plans (ERISA Section 404(c) Plans), 57 Fed. Reg. 46,906 (1992) (codified at 29 C.F.R. § 2550 (1992))

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- No. 75-1: Interpretive Bulletin relating to Section 414(c)(4) of the Employment Retirement Income Security Act of 1974, 40 Fed. Reg. 31,598 (1975); *supplemented by* Interpretive Bulletins relating to fiduciary responsibility, 40 Fed. Reg. 34587 (1975), *and* Interpretive Bulletins relating to reporting and disclosure, 40 Fed. Reg. 59,728 (1975) *and* Interpretive Bulletins relating to reporting and disclosure – independence of accountant retained by employee benefit plan, 40 Fed. Reg. 53,998 (1975)
- No. 75-2: Interpretive Bulletin relating to prohibited transactions, 40 Fed. Reg. 31,598 (1975) (codified in 29 C.F.R. § 2509.75-2 (1992))
- No. 75-3: Interpretive Bulletin relating to investments by employee benefit plans in securities of registered investment companies, 40 Fed. Reg. 31,599 (1975)
- No. 75-4: Interpretive Bulletin relating to indemnification of fiduciaries, 40 Fed. Reg. 31,599 (1975)
- No. 75-5: Questions and Answers relating to fiduciary responsibility, 40 Fed. Reg. 31,599 (1975)
- No. 75-6: Interpretive Bulletin relating to fiduciary responsibility, 40 Fed. Reg. 31,755 (1975)
- No. 78-1: Interpretive Bulletin relating to payments by certain employee welfare benefit plans, 43 Fed. Reg. 58,565 (1978) (codified at 29 C.F.R. § 2509.78-1 (1992))

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**Table of the Department of Labor
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Year	Total Number of Opinions	Number of Opinions Addressing Fiduciary Responsibility	Opinions Addressing Fiduciary Responsibility
1974	2	none	none
1975	90	11	75-24, 75-79, 75-80, 75-81, 75-83, 75-89, 75-90, 75-93, 75-94, 75-95, 75-137
1976	95	4	76-33, 76-35, 76-70, 76-74
1977	85	15	77-32A, 77-33, 77-34, 77-35, 77-46, 77-55, 77-60, 77-61A, 77-66, 77-67A, 77-73A, 77-78A, 77-79, 77-80A, 77-81A
1978	33	3	78-28A, 78-30A, 78-29
1979	90	2	79-56A, 79-90A
1980	74	5	80-28A, 80-30A, 80-33A, 80-39A, 80-073A
1981	90	8	81-005A, 81-012A, 81-029A, 81-030A, 81-052A, 81-062A, 81-072A, 81-083A
1982	68	4	82-001A, 82-024A, 82-026A, 82-033A, 82-045A
1983	62	none	none
1984	47	1	84-014A
1985	43	1	85-041A
1986	28	2	86-001A, 86-011A

Year	Total Number of Opinions	Number of Opinions Addressing Fiduciary Responsibility	Opinions Addressing Fiduciary Responsibility
1987	11	1	87-003A
1988	18	3	88-008A, 88-014A, 88-016A
1989	33	6	89-008A, 89-009A, 89-025A, 89-028A, 89-029A, 89-031A
1990	48	none	none
1991	47	1	91-028A
1992	27	2	92-011A, 92-022A
1993	11	none	none
Total	1,002	69	

**Department of Labor
Interpretive Bulletin 75-2
(Feb. 6, 1975),
40 Fed. Reg. 31,598
(July 28, 1975)**

Department of Labor Interpretive Bulletin 75-2
February 6, 1975

§2555.75-2 Interpretive bulletin relating to prohibited transactions.

On February 6, 1975, the Department of Labor issued an interpretive bulletin, ERISA IB 75-2, with respect to whether a party in interest has engaged in a prohibited transaction with an employee benefit plan where the party in interest has engaged in a transaction with a corporation or partnership (within the meaning of section 7701 of the Internal Revenue Code of 1954) in which the plan has invested.

Generally, investment by a plan in securities (within the meaning of section 3(20) of the Employee Retirement Income Security Act of 1974) of a corporation or partnership will not, solely by reason of such investment, be considered to be an investment in the underlying assets of such corporation or partnership so as to make such assets of the entity "plan assets" and thereby make a subsequent transaction between the party in interest and the corporation or partnership a prohibited transaction under section 406 of the Act.

For example, if an insurance company issues a contract or policy of insurance to a plan and places the consideration for such contract or policy in its general asset account, the assets in such account shall not be considered to be plan assets. Therefore, a subsequent transaction involving the general asset account between a party in interest and the insurance company will not, solely because the plan has been issued such a contract or policy of insurance, be a prohibited transaction.

Similarly, for example, where a plan acquires a security of a corporation or a limited partnership interest in a partnership, a subsequent lease or sale of property between such corporation or partnership and a party in interest will not be a prohibited transaction solely by reason of the plan's investment in the corporation or partnership.

This general proposition, as applied to corporations and partnerships, is consistent with section 401(b)(1) of the Act, relating to plan investments in investment companies registered under the Investment Company Act of 1940. Under section 401(b)(1), an investment by a plan in securities of such an investment company may be made without causing, solely by reason of such investment, any of the assets of the investment company to be considered to be assets of the plan.

However, the preceding paragraphs do not mean that an investment of plan assets in a security of a corporation or partnership may not be a prohibited transaction. For example, section 406(a)(1)(D) prohibits the direct or indirect transfer to, or use by or for the benefit of, a party in interest of any assets of the plan and section 406(b)(1) prohibits a fiduciary from dealing with the assets of the plan in his own interest or for his own account.

Thus, for example, if there is an arrangement under which a plan invests in, or retains its investment in, an investment company and as part of the arrangement it is expected that the investment company will purchase securities from a party in interest, such arrangement is a prohibited transaction.

Similarly, the purchase by a plan of an insurance policy pursuant to an arrangement under which it is expected that the insurance company will make a loan to a party in interest is a prohibited transaction.

Moreover, notwithstanding the foregoing, if a transaction between a party in interest and a plan would be a prohibited transaction, then such a transaction between a party in interest and such corporation or partnership will ordinarily be a prohibited transaction if the plan may, by itself, require the corporation or partnership to engage in such transaction.

Similarly, if a transaction between a party in interest and a plan would be a prohibited transaction, then such a transaction between a party in interest and such corporation or

partnership will ordinarily be a prohibited transaction if such party in interest, together with one or more persons who are parties in interest by reason of such persons' relationship (within the meaning of section 3(14)(E) through (I)) to such party in interest may, with the aid of the plan but without the aid of any other persons, require the corporation or partnership to engage in such a transaction. However, the preceding sentence does not apply if the parties in interest engaging in the transaction, together with one or more persons who are parties in interest by reason of such persons' relationship (within the meaning of section 3(14)(E) through (I)) to such party in interest, may, by themselves, require the corporation or partnership to engage in the transaction.

Further, the Department of Labor emphasizes that it would consider a fiduciary who makes or retains an investment in a corporation or partnership for the purpose of avoiding the application of the fiduciary responsibility provisions of the Act to be in contravention of the provisions of section 404(a) of the Act.

**Department of Labor
Advisory Opinion 75-79
(Feb. 7, 1975)**

Department of Labor Advisory Opinion 75-79

P/OPINION 75-79

February 7, 1975

Dear :

In response to your letter of January 24, 1975, enclosing a letter dated January 13, 1975, from of The Life Company, I am pleased to be able to give the following guidance:

Our latest interpretative bulletin ERISA IB 75-2, a copy of which is enclosed herewith, makes clear that when a plan purchases a policy or policies on an insurance company's general assets account, the plan assets consist of the policy, and not the underlying assets of the insurance company. If all the plan assets consist of such policies, the responsibility of plan fiduciaries to exercise the section 404(a) requirements of the Employee Retirement Income Security Act of 1974 (ERISA) in the selection of the insurance company and the policies purchased would be the major responsibility which could give rise to liability (assuming that section 406 does not apply to the transaction with the particular insurance company).

As for the section 404(a)(1)(C) requirement of diversification if 100 % of the plan assets are in policies written on the general asset account, the Conference Report states "generally a plan may be invested wholly in insurance or annuity contracts without violating the diversification rules, since generally an insurance company's assets are to be invested in a diversified manner."

With respect to the question of comparing liability in the insurance situation to those of other modes of investment, much would depend on the individual situation. As to the need for fiduciary liability insurance, as you know, section 410(b) of the Act allows such insurance, but does not require it. The question of whether such insurance is necessary in any particular case is a matter for consideration by the fiduciary and his adviser.

Sincerely,

**Department of Labor
Advisory Opinion 78-8A
(Mar. 13, 1978)**

Department of Labor Advisory Opinion 78-8A

U.S. DEPARTMENT OF LABOR
Pension and Welfare Benefit Programs

Washington, D.C. 20216

MAR 13 1978

OPINION 78-8 A

Eugene T. Rossides, Esq.
Rogers & Wells
1666 K Street, N.W.
Washington, D.C. 20006

3(17)
401(b)(2)
408(c)(2)

Re: College Retirement Equities Fund

Dear Mr. Rossides:

This is in reply to your letter of November 17, 1976 in which you request on behalf of the College Retirement Equities Fund (CREF) a ruling that assets held by CREF in its "general" account to support obligations arising under variable annuity contracts issued by CREF and sold to pension plans are not assets of such plans, and, therefore, that the individual members of CREF's Board of Trustees are not fiduciaries of such plans who would be subject to the requirements of the Employee Retirement Income Security Act of 1974 (the Act). Specifically, CREF requests such ruling so that the Act's prohibition against double compensation of fiduciaries will not apply to those CREF trustees who are professors or administrative officers of institutions which use annuity contracts issued by CREF to fund their pension plans.

In your letter you set forth the following facts and representations. CREF is a nonprofit educational organization which is regulated by the New York Insurance Department and is licensed by the insurance departments of four other states. It is the companion organization to Teachers Insurance and Annuity Association of America (TIAA), a nonprofit organization established to provide a pension system and related benefits for institutions of higher education. In the TIAA-CREF pension system, TIAA provides the fixed annuity component and CREF the variable annuity.

A participant under a contract issued by CREF accrues accumulation units based upon premiums paid and dividends and other income earned on the assets held in CREF's "general" account which support obligations under such contracts. The value of a participant's accumulation units (the participant's accumulation) is not guaranteed, and varies with the market value of the CREF investment portfolio to reflect, in part, the realized and unrealized capital appreciation of the assets in the portfolio. When a participant retires, the participant's accumulation, after making provision for appropriate operating charges, must be applied to the purchase of an annuity under one of the variable payment options, or, in certain circumstances, an annuity issued by TIAA. The dollar amount the retired participant receives under a contract issued by CREF changes from year to year to reflect the value of his annuity units. If a participant should die before retirement, then the participant's accumulation will be paid to the named beneficiary.

All CREF premiums are placed in its "general" account; no assets are separately managed.

Several of the individual members of CREF's Board of Trustees are professors or administrative officers of institutions which use CREF annuity contracts as funding media for their pension plans. Your letter represents that the responsibilities of a trustee include overall administration and operation of the CREF "general" account and that all board members are selected to serve solely by reason of their expertise in pension or investment matters. All trustees, except those who are CREF officers, are paid an annual stipend and meeting attendance fees and are reimbursed for expenses incurred in attending meetings.

Your letter suggests that because all CREF assets are held in its "general" account and because CREF does not segregate or separately manage any of its assets, ERISA IB 75-2 (40 FR 31598, July 28, 1975) provides that assets held by CREF do not constitute assets of the pension plans which are funded by annuity contracts issued by CREF. ERISA IB 75-2 states that when an insurance company issues an insurance contract to a plan and

places the consideration for such contract in its general asset account, the assets in such account shall not be considered to be plan assets.

Although CREF labels its account a "general" account, it is the view of the Department of Labor (the Department) that the assets in the account which support obligations under variable annuity contracts issued to pension plans are plan assets. Section 401(b)(2) of the Act states that when an insurance company issues a guaranteed benefit policy to a plan, the assets of the plan do not, solely by reason of the issuance of such policy, include any assets of the insurance company. Section 401(b)(2)(B) defines the term "guaranteed benefit policy" to include, among other things, any surplus in a separate account but to exclude any other portion of a separate account. The annuity contracts issued by CREF provide for variable benefits; generally assets supporting obligations under these contracts are held in a separate account. The term "separate account" is defined in section 3(17) as an account under which income, gains or losses, whether or not realized, from assets allocated to such account, are, in accordance with the applicable contract, credited to or charged against such account without regard to other income, gains or losses of the insurance company.

The legislative history of sections 3(17) and 401(b)(2) of the Act makes it clear that the assets in an insurance company account which support variable annuity contracts shall constitute plan assets. At pages 296-97 of the Conference Report the conferees stated:

An insurance company also is not considered to hold plan assets if a plan purchases an insurance policy from it, to the extent that the policy provides payments guaranteed by the company. If the policy guarantees basic payments but other payments may vary with, e.g., investment performance, then the variable part of the policy and assets attributable thereto are not to be considered as guaranteed, and are to be considered as plan assets subject to the fiduciary rules.

(However, such assets need not be held in trust under the fiduciary responsibility rule.)

Additionally, it is understood that assets placed in a separate account managed by an insurance company are separately managed and the insurance company's payments generally are based on the investment performance of these particular assets. Consequently, insurance companies are to be responsible under the general fiduciary rules with respect to assets held under separate account contracts, and the assets of these contracts are to be considered as plan assets (but need not be held in trust). However, to the extent that insurance companies place some of their own funds in these separate accounts to provide for contingencies, this separate account "surplus" is not to be subject to the fiduciary responsibility rules.

The Department believes that the above language evidences a Congressional intent that when an insurance company provides investment advice which determines the rate of return to the plan and its participants, the assets in the account shall constitute plan assets so that the insurance company is subject to the fiduciary responsibility provisions of the Act.

As stated in your letter, the annuity payments to which a participant or beneficiary will be entitled are dependent upon the investment performance of the assets held by CREF. The CREF account thus constitutes a separate account as defined by the Act and the assets therein are plan assets pursuant to section 401(b)(2). ERISA IB 75-2 was based in part upon the Department's understanding that the various state laws which regulate insurance companies prohibit an insurance company from placing premiums paid for variable annuity contracts in a general asset account. It was not intended to modify or alter the basic statutory scheme of section 401(b)(2) of the Act.

Although your letter does not specify in detail the duties and responsibilities of a CREF trustee, it would appear that the trustees are plan fiduciaries pursuant to section 3(21)(A)(i) of

the Act by virtue of being persons who exercise any authority or control respecting the management or disposition of plan assets and, therefore, are also parties in interest with respect to such plan, pursuant to section 3(14)(A). Section 406(a)(1)(C) and (D) of the Act prohibits a fiduciary with respect to a plan from causing the plan to engage in a transaction, if he knows or should know that such transaction constitutes a direct or indirect furnishing of goods, services, or facilities between the plan and a party in interest or a transfer to, or use by or for the benefit of, a party in interest of any assets of the plan. Furthermore, section 406(b)(1) and (3) of the Act prohibits a plan fiduciary from dealing with the assets of the plan in his own interest or for his own account and from receiving any consideration for his own personal account from any party dealing with the plan in connection with a transaction involving the assets of the plan. Section 408(c)(2) of the Act, however, provides that nothing in section 406 shall be construed to prohibit any fiduciary from receiving any reasonable compensation for services rendered, or for the reimbursement of expenses properly and actually incurred, in the performance of his duties with the plan; except that no person so serving who already receives full-time pay from an employer or an association of employers, whose employees are participants in the plan, or from an employee organization whose members are participants in such plan shall receive compensation from such plan, except for reimbursement of expenses properly and actually incurred. Thus, section 408(c)(2) of the Act would not permit those CREF trustees who are professors or administrative officers of institutions which use CREF annuity contracts to fund their pension plans to receive compensation, other than reimbursement of expenses properly and actually incurred, for the performance of their fiduciary duties because they already receive full-time pay from an employer or association of employers whose employees are participants in a plan.

Because the above discussion also raises questions under section 4975 of the Internal Revenue Code of 1954 (the Code), which is within the jurisdiction of the Internal Revenue Service (the Service), we have conferred with representatives of the Service

and they concur in the position set forth above as it relates to section 4975 of the Code to the extent the assets managed are assets of a plan or plans as defined by section 4975(e)(1) of the Code.

In order to compensate those board members who are professors or administrative officers of participating institutions, CREF must obtain an exemption from the prohibitions of sections 406(a)(1)(C) and (D) and 406(b)(1) and (3) of the Act.

The foregoing was discussed at a conference held on February 21, 1978 at the Service, at your request, and attended by yourself, Mr. William F. Heller, Assistant General Counsel of CREF, and representatives of the Department and the Service.

This letter constitutes an advisory opinion under ERISA Procedure 76-1 (41 FR 36281, August 27, 1976). Accordingly, this letter is issued subject to the Procedure including section 10 thereof relating to the effect of advisory opinions.

Sincerely,

Fred W. Stuckwisch
Director
Office of Regulatory Standards
and Exceptions

**Department of Labor
Advisory Opinion 83-51A
(Sept. 21, 1983)**

Department of Labor Advisory Opinion 83-51A

U.S. Department of Labor Labor-Management Services
Administration
Washington, D.C. 20216

SEP 21 1983

Reply to the Attention of:

OPINION NO. 83-51A

Sec. 401(b)(2)
3(17)

Lawrence J. Hass
Groom and Nordberg, Chartered
1775 Pennsylvania Avenue, N.W.
Suite 700
Washington, D.C. 20006

Re: Identification Number: F-2584A

Dear Mr. Hass:

This is in response to your request for an advisory opinion on behalf of the Prudential Insurance Company of America, the Equitable Life Assurance Society of the United States, John Hancock Mutual Life Insurance Company, the Connecticut General Life Insurance Company, Aetna Life Insurance Company, and the Mutual Life Insurance Company of New York. You have asked that the Department of Labor (the Department) issue an advisory opinion that assets held by insurance companies in certain separate accounts that are maintained solely in connection with fixed contractual obligations of an insurance company are not plan assets for purposes of Title I of the Employee Retirement Income Security Act of 1974 (ERISA).

In your opinion request, you describe certain contracts for retirement plans that provide guarantees of return of the principal amount deposited under the contract (plus accrued interest) on a fixed date or dates in the future and the crediting of interest

at a rate fixed under the contract. You also indicate that, in recent years, many insurance companies have established separate accounts to which funds deposited under such contracts are allocated. In addition, you indicate that an insurance company may also allocate the premium received in connection with certain nonparticipating fixed annuity contracts to a separate account. According to your letter, these contracts provide fixed annuity payments to retirees for life and the amount paid out under the contract is not affected by the investment performance of the separate account.

On September 15, 1981 the Department issued Prohibited Transaction Exemption 81-82 (PTE 81-82) which grants relief from the prohibited transaction provisions of section 406(a) and 407(a) of ERISA and sections 4975(c)(1)(A) through (D) of the Internal Revenue Code of 1954 (the Code) with respect to transactions involving certain "guaranteed contract separate accounts" established and maintained by life insurance companies solely in connection with guaranteed investment contracts and nonparticipating fixed annuity contracts issued to employee benefit plans. Also on September 15, 1981 the Department proposed exemptive relief from the provisions of section 406(b) of ERISA and section 4975(c)(1)(E) and (F) of the Code. That proposed exemption has not been granted.

You have asked for an advisory opinion to the effect that the assets in guaranteed contract separate accounts, as that phrase is defined in PTE 81-82, are not plan assets for purposes of Title I of ERISA.

Section 401(b)(2) of ERISA provides that in the case of a plan to which a guaranteed benefit policy is issued by an insurer, the assets of such plan shall be deemed to include such policy, but shall not, solely by reason of the issuance of such policy, be deemed to include any assets of such insurer. For purposes of this paragraph:

- (A) The term "insurer" means an insurance company, insurance service, or insurance organization, qualified to do business in a State.

- (B) The term "guaranteed benefit policy" means an insurance policy or contract to the extent that such policy or contract provides for benefits the amount of which is guaranteed by the insurer. Such term includes any surplus in a separate account, but excludes any other portion of a separate account.

Section 3(17) of ERISA provides that the term "separate account" means an account established or maintained by an insurance company under which income, gains, and losses, whether or not realized from assets allocated to such account, are, in accordance with the applicable contract, credited to or charged against such account without regard to other income, gains, or losses of the insurance company.

In the Department's view, a separate account would not hold "plan assets" for purposes of the fiduciary responsibility provisions of ERISA if it is maintained by an insurance company solely in connection with its fixed contractual obligations and if neither the amount payable (or credited to) the plan or to any participant or beneficiary of the plan (including an annuitant) is affected in any way by the investment performance of the separate account. Since it appears that the contracts described in your letter provide for fixed obligations of the insurance company and that the investment performance of the separate accounts described in your letter do not, in any circumstances, affect the insurance company's obligations to either the plan to which the contract is issued or to its participants and beneficiaries, such separate accounts would therefore not be considered to hold "plan assets." We note, however, that a conventional separate account (which holds contributions received from a plan and provides for the crediting of income on such amounts based upon the investment experience of the separate account) would not be considered to be maintained in connection with a fixed contractual obligation of the insurance company merely because assets of the separate account are ultimately applied to provide fixed annuities to participants, and the assets of such a separate account would be considered to be plan assets.

This letter constitutes an advisory opinion under ERISA Procedure 76-1 (issued August 27, 1976). Accordingly, it is issued subject to the provisions of the procedure, including section 10 thereof relating to the effect of advisory opinions.

Sincerely,

Alan D. Lebowitz
Assistant Administrator
for Fiduciary Standards
Pension and Welfare Benefit Programs